

REFERENCE  
CURA Library

CURA has supported the work of the author(s) of this report but has not reviewed it for final publication. Its content is solely the responsibility of the author(s) and is not necessarily endorsed by CURA.

THE PROJECT ON  
PATERNITY ADJUDICATION AND  
CHILD SUPPORT OBLIGATIONS  
OF  
TEENAGE PARENTS\*

December, 1984

Prepared by Esther Wattenberg  
Principal Investigator for the  
Project  
Professor, School of Social Work  
Staff, Center for Urban and  
Regional Affairs  
University of Minnesota  
1927 South Fifth Street  
Minneapolis, MN 55454  
(612) 373-7833

\* Funded by The Ford Foundation in cooperation with The McKnight Foundation and The Center for Urban and Regional Affairs.

THE PROJECT ON PATERNITY ADJUDICATION AND  
CHILD SUPPORT OBLIGATIONS OF TEENAGE PARENTS

TABLE OF CONTENTS

Executive Summary.....	i
Acknowledgements.....	xiv
Preface to the Study.....	xv
Chapter I: Children Born Out of Wedlock: A Wider Context.....	1
Chapter II: Trends in Out-of-Wedlock Teenage Childbearing: Pertinent Data.....	8
Chapter III: Findings from the Study.....	16
Data from Survey of County IV-D Offices.....	16
Data from Survey of Social Service Programs.....	24
Data from Survey of Teen Mothers.....	32
Data from Survey of Black Adolescent Fathers.....	40
Chapter IV: "Good Cause" Exceptions.....	52
Chapter V: A Native American Perspective.....	54
Chapter VI: Conclusions and Recommendations.....	58

---

Notes and Bibliography

---

APPENDICES:

Questionnaires:

- IV-D offices
- School Social Workers
- Social Agencies/Programs (including hospitals)
- Teen Mothers
- Teen Fathers

Dr. Stanley Battle: Perceptions and Attitudes of Black  
Adolescent Fathers: The Question of Paternity

Observations on a Telephone Interview with Ed Bostick, Memphis Juvenile  
Court

Patterns of Paternity Acknowledgment and Notes on Procedure for Signing  
Birth Certificates

Summary: The Rights and Protections Afforded Minor Defendants in Paternity  
Proceedings

# THE PROJECT ON PATERNITY ADJUDICATION AND CHILD SUPPORT OBLIGATIONS OF TEENAGE PARENTS

## EXECUTIVE SUMMARY

The Ford Foundation, in cooperation with the McKnight Foundation and the Center for Urban and Regional Affairs, funded a one-year planning grant to explore the implications of paternity adjudication and child support enforcement as they affect teenage parents.

While Title IV-D of the Social Security Act, the Child Support Enforcement Program, provides for services to establish paternity of all children born out of wedlock and the enforcement of financial obligations of all parents (AFDC and non-AFDC) to their children, ways in which teenage parents intersect with this program are not clearly understood. There appear to be wide variations in states' judicial philosophies and statutory enforcement remedies. Further, the issues are complicated by ambiguous social service practices. In short, the issues enmeshed in paternity and child support obligations for teenage parents have not, to date, received systematic review and analysis.

Among developments that have taken place recently, two are particularly significant. The first, genetic testing for paternity, has changed the nature of the paternity process. Scientific advances have produced a blood testing procedure that is now fairly conclusive (non-paternity can be proved in 95 percent of the cases), widely available, and relatively inexpensive. The second major development is a trend by the Supreme Court beginning in 1968 toward the principle that parent and child relationships extend equally to every child regardless of the marital status of the parents. The conclusion to be drawn from this long line of decisions is that state and federal law may not discriminate between legitimate and illegitimate children in any significant, substantive area other than inheritance. The marital status of parents is considered irrelevant to the rights of children, especially as those rights relate to equal protection under the law. Paternity adjudication is now assuming a pivotal role in enhancing the life chances of children born out of wedlock.

This exploratory study was designed to examine the issues in protecting the rights of children of teenage parents in an arena of contending interests. The framework of the study was derived from the following social goals: 1) the necessity to emphasize the long term benefits that may accrue to the child of teenage parents from paternity adjudication; 2) the importance of restoring a role for adolescent fathers or older partners of teen mothers in the paternity adjudication process; 3) the value of securing a base, through child support enforcement, for the economic stability of children born out of wedlock to minor parents; and 4) the significance of fostering a sense of equity in consequences and responsibilities for both the female and the male parent.

Data from more than 200 interviews were analyzed. Drawing on the findings from this project and related studies, conclusions are formulated and recommendations are proposed.

### Findings from the Study

Interview schedules were used to grasp procedural issues, counseling contexts, and attitudes of adolescent parents toward paternity adjudication and child support enforcement. In addition to data gathered from IV-D offices, social agencies and programs, and

adolescent parents, panel discussions were held with units in the county serving adolescent parents.

Data from Survey of County IV-D Offices

Self-report questionnaires were sent to 87 county IV-D offices in Minnesota. A total of 65 were completed and returned.

- Wide variations from county to county were reported on methods and procedures for contacting adolescent fathers (from telephone messages to sheriffs and/or their agents); procedures in interviewing fathers (from casual and improvised exchanges in the hallway of a courthouse to a series of planned interviews).
- Representation for the adolescent father is not uniform. Arrangements include various combinations of a guardian ad litem, an attorney acting as guardian ad litem, or parents and an attorney together acting as guardian ad litem. No respondent reported that a guardian ad litem is assigned to protect the interests of the out-of-wedlock child.
- Wide variations were found in methods of recovery of costs for blood tests, medical expenses of the mother, and public assistance expenditures. Some attempt at recovery was reported in 63 percent of the sample.
- Size of the caseload is a pivotal factor in assigning time and staff to deal with teenage parents. In large counties with heavy caseloads and over-burdened staff, teenage parents receive relatively low priority: potential recovery of child support influences priorities. Among the observations: benefits are long term--they do not necessarily result in immediate increased collections; a reluctance to allocate resources to meet caseload demand. "There is little or no financial incentive in teenage paternity adjudication." (respondent from a large urban county). Twenty percent of IV-D offices report postponing paternity actions until the father has reached 18 years of age. An equal number, chiefly small and medium size counties, identify paternity action as a high priority without regard to the minor status of the parents.
- Few paternity adjudication cases are referred by private attorneys to IV-D offices.
- Few paternity allegations are contested.
- A consistent way of giving teen parents information on what benefits would accrue to their child from paternity adjudication was totally absent. IV-D offices reported that they routinely provide such information, but the context and content appear to vary widely.
- About 94 percent of the offices responding indicated that they were unaware of programs for unwed fathers in their communities.
- Most putative fathers are reported to be completely unaware of what responsibilities and rights are involved in paternity adjudication and child support, and they appear to be "in shock" when confronted with the realities of their obligations under the law.
- Almost all respondents supported a vigorous community education program, particularly in high schools, on issues of paternity and child support.
- Typically, IV-D offices receive cases of paternity adjudication only when an application is made for AFDC. Very few cases for paternity actions in non-AFDC cases are received.
- Various circumstances surround a delay in paternity adjudication: mother lives with her parents following birth of the child and does not apply for AFDC until she moves out; some counties have neglected pursuing paternity, and when a mother moves out of a county that has been lax, the new county often initiates proceedings, although with time paternity adjudication becomes more difficult; break-up of a relationship followed by the father marrying another woman, and the mother of the child goes on AFDC; deteriorating relationships in which voluntary support ceases, and the mother then seeks child support.



Data from Survey of Social Agencies/Programs

Self-report interview schedules were sent to hospital-based programs, programs in school social work, and community-based programs. A total of 78 were received from both urban and rural settings.

- Generally, these programs (except for two that specifically attempt outreach and services to teen fathers) are chiefly devoted to teen mothers as clients and are chiefly staffed by women.
- School social workers, personnel in social service agencies and hospital personnel had limited information on both procedures and issues. Their understanding of basic concepts on the rights of the minor father, the eligibility requirements of AFDC, the benefits for the minor child, and paternity establishment procedures were often factually incorrect, vague, and rumor-laden. Information often came from clients who were AFDC recipients.
- A high proportion of respondents noted that although fathers may sometimes be interested in becoming more involved, teenage mothers are the "gatekeepers". A teen mother may avoid naming the baby's father in order to retain autonomy, avoid abusive relationships, or risk disturbing a new relationship with someone other than the father of the child. The collision of immature adolescence with the demands of parenthood leave little room for considerations of long term consequences for the out-of-wedlock status of their child.
- Workers report that paternity adjudication, from the teenage mother's point of view, may complicate an already very complex set of relationships.
- Generally, respondents in both school social work and social service programs accept the mothers' decisions on paternity issues with little discussion. The father's dwindling role is accepted as an inevitable reality.
- About half of the respondents stated paternity issues are not discussed or even mentioned in their group meetings.
- Respondents reported that the parents of teenagers play a significant role in decisions on paternity and child support issues.
- It was reported that teenage parents generally blamed the hostile and threatening environment of both AFDC and the court proceedings as inhibitors in pursuing paternity. It was generally acknowledged that not knowing what would happen and the uncertainty and rumors of criminal prosecution that follows paternity adjudication is probably what prevents many teen fathers from coming forward.

- Workers noted that because there is a general belief that child support is undependable and meager, no fiscal advantage is seen in pursuing paternity adjudication.
- Hospitals, responsible for filing birth records with vital statistics, vary widely in their procedures. So far as we could determine, training on issues in paternity adjudication is absent for hospital personnel, as it is for personnel in other community programs. Indeed, it is not considered an item of their concern. Their contacts are considered casual and in a limited time frame.

#### Data from Survey of Teenage Mothers

A demographic profile of the 64 teenage mothers interviewed reveals that about 75 percent of them were reared in large female-headed households, typically with low incomes. Fifty-three percent were high school dropouts. Their average age when interviewed was slightly under 18.

- Overwhelmingly, respondents stated that their interests in protecting their male partners from long term financial consequences, harassment, costs of medical care, prison, and even charges of statutory rape were considerations in not pursuing paternity. Even where the relationship had drifted away, these opinions were expressed.
- A racial difference appeared in response to a question on why fathers would not want to declare paternity. Black and native American mothers stated that the fear of having to pay child support was the dominating influence, whereas white teenage mothers stated that young fathers feared the parenting responsibilities.
- Generally, respondents reported that an intimidating environment surrounded AFDC eligibility for teen mothers, producing a chilling effect on paternity adjudication issues. They said that information was presented in an adversarial context: the mother's price to pay for receiving public assistance was a mandated "cooperation" to locate and name the father. Few could recall discussion that focused on the importance of paternity for the benefit of their babies.
- Less than one-third reported receiving tangible assistance from the father of their baby. Only 18 percent received some money on a somewhat regular basis. This consisted largely of small amounts for food, clothing and babysitting.
- Relationships to the father varied, but on the whole they appeared to dwindle after the birth of the baby.
- 80 percent of the mothers believed it was important to have the father's name on the birth certificate.

- The routes that are taken by teen parents to decide on "legitimizing" their infant are determined by an interactive set of signals: their age, relationship to the father, and influence of family and friends. The role of their parents is important in influencing decisions.
- The issues of paternity and child support enforcement for teen parents are enmeshed, as far as they are concerned, in a system that is capricious, arbitrary, and punitive. Securing accurate information on benefits to the child in a non-judgmental environment is accidental. The general strategy they invoke, therefore, is one of avoidance.

#### Data from Survey of Black Adolescent Fathers

This data, collected by Dr. Stanley Battle and reported in a paper attached to the full report on this project, is based on interviews with 46 black adolescent fathers.

- Only 26 percent had completed high school at the time of the interviews. A few (6.5 percent) were enrolled in vocational-technical school. Almost 25 percent were reported to have difficulty reading or comprehending the questionnaire.
- Approximately 39 percent of the fathers were unemployed. Only one-fifth worked full time. Only 15 percent were working at jobs that secured more than \$3,000 annually.
- Many of the respondents were reared in large, very low income, single-parent families. Many were expected to, and do, contribute to family income to assist in supporting their siblings. In addition, some contribute money to their children from time to time.
- Respondents reported varying relationships with their children and the mothers of those children. Approximately 20 percent were living with the mother of their child. More than half did not see the mother on a daily basis. Of those who stayed in touch with the mothers and babies, an overwhelming majority (86 percent) stated that they helped care for the babies from time to time.
- Some of the relationships, as reported, clearly reflect compassionate and caring young fathers seriously interested in the well-being of the mothers and their infants.

- In response to questions on benefits that could accrue to their minor children, most fathers clearly demonstrated that the linkage between paternity acknowledgment and benefits was unknown to them. When provided with a list, most fathers deemed benefits through Social Security and health insurance benefits as having the greatest potential significance for their out-of-wedlock children.
- Over one-third of the fathers believed that they have a right to visit the child even if paternity is not legally established (this is not the case). Most were aware that the name of the father must be legally established before he is required to pay child support.
- Fathers generally did not know how their child support payments are used, and whether they are added to or subtracted from AFDC benefits.
- Less than one-half of the respondents demonstrated a good understanding of "good cause" exceptions. Their right to an advocate (guardian ad litem) was generally unknown to them. They had scant knowledge about the laws on child support and its interstate authorization or about how the courts determine the amount or extent of child support obligations.
- The interviews disclosed a general concern with the complexity of AFDC rules and regulations and fears surrounding the father's role in possibly jeopardizing this stream of income for the mother and child.
- Respondents saw the court system as intimidating and treacherous. Generally, they expressed apprehension about going to court under any circumstances.
- Sources of information varied, but they chiefly included the informal networks of friends, relatives, and the mother of their child.
- Respondents generally reported fear, anxiety and confusion on what can or cannot be pursued under the phrase "paternity adjudication."

#### A Native American Perspective

The sample here was very small and consisted largely of native Americans from urban areas of Minnesota. It is clear that this is an area requiring more time and research than this study allowed.

- In Minnesota, out-of-wedlock births to native American teenagers appear to be two to three times higher than non-Indian births.

- Paternity adjudication, somewhat byzantine in its procedures and ramifications, is even more complicated in the interaction with various native American tribal groups with diverse rules and customs.
- Little is known about the practices and policies on family planning, out-of-wedlock births, child support enforcement, etc., in the native American communities. This area requires much more research.

#### Good Cause Exceptions

The "exception" clause in the IV-D law was inserted to acknowledge circumstances in which the mandatory requirement for paternity acknowledgment might not be in the best interests of the child. Wide variations exist on how this is interpreted. Minnesota ranks in the top three of the nation's states in claiming "good cause" exceptions, with California and Ohio. No data on Minnesota's use of the clause was available.

#### Conclusions and Recommendations

##### Conclusions

The Child Support Enforcement Amendments of 1984 reinforced the message contained in the original act of 1975: child support is a responsibility that cannot be shirked. To enforce the once traditional responsibility of the father towards his child, sometimes known as the irrevocable obligation, a thicket of unwieldy procedures has developed. Indeed, as one deputy district attorney describes it, in the California State Bar Journal, September/October 1978,

"The maze of law, regulations, agencies and various internal operating procedures duplicate the complexity of tax law."

From the perspective of teen parents, multiple sources of information exist. Decision making is shaped from bits and pieces of rumor and speculation, sometimes from parents and sometimes from peers in a "street knowledge" way. Information may drift across their path from pre-natal programs; school programs; counselors in other community based programs; hospital settings; and, finally, when and if there is an approach to AFDC. For those unmarried mothers who pursue the question of paternity with private attorneys, we assume accurate legal knowledge is transmitted.

The routes that adolescent parents take to decide the issue of "legitimizing" their baby are determined by an interactive set of signals: the state of the relationship between the young parents; their age; the context in which they receive information; the influence of peers, family, agencies, programs, and the accidental nature of these encounters.

From the perspective of policy and program initiatives, one is struck with the complex interplay among AFDC eligibility workers, the IV-D child support enforcement units (typically staffed by the county attorney's office), and social service and health programs serving unmarried parents. In this complex interplay, there are wide discretionary judgments, guided, somewhat loosely, by broad policies.

The striking fact is, however, that in this thicket of responses to adolescent parents, information on what benefits would accrue to the child is not routinely given.

Comprehensive data on the extent of paternity adjudications as a consequence of out-of-wedlock births does not exist. Information on those young parents who apply for AFDC is sent forward through IV-D offices to the federal Office of Child Support Enforcement. However, those young parents who use private attorneys for this purpose generally have this information protected by privacy statutes. The data base is incomplete.

Paternity contests among adolescent parents are few. The availability of genetic testing, which gives high probability to the likelihood of parentage, appears to be one factor in the small incidence of paternity cases that go to trial.

After a careful review of findings from this study, related studies, and a literature review, this paper argues that the rights of children should be protected, uncompromised by parental status. While one cannot be beguiled by easy stereotypes of adolescent unmarried parents or the agencies with which they interact, nevertheless, reviewing the observations culled from well over 200 interviews, we can state fairly that the long term interests of the minor child of minor parents have been neglected. The advantages and benefits of paternity adjudication and child support have been minimized to the long term disadvantage of a growing generation of children born out of wedlock.

An examination of paternity adjudication and the ways in which it is perceived and responded to leads one to the firm conclusion that, at present, the routes to providing legal protection for the minor infant are haphazard and full of improvised choices.

While the emphasis varies from county to county and between urban and rural settings, the overwhelming conclusion is that the process of paternity adjudication is chiefly regarded by teen parents as a punitive procedure, fraught with dangerous consequences.

Further, we found no consistency in approaches to the unmarried father. Issues of protecting his rights, knowledge about the procedures involved in paternity and blood testing, the availability of legal services, were not uniformly presented in either face to face interviews, by mail, or in telephone contacts. Particularly interesting is that the skilled and trained paternity counselors were not available uniformly throughout the state.

Moreover, social service and health programs that serve unmarried mothers had incomplete and often factually incorrect information about paternity adjudication. Indeed, they appear to be ambivalent about providing this information.

The amount and quality of support to the father throughout the process is insufficient. While one could perceive that he was an "unwilling client," strategies for outreach and support seemed sparse. One wonders whether we have come very far from the 1950s, when unmarried fathers were, in Leontine Young's words, "to be ignored, appeased, or bullied as the occasion required." (Out of Wedlock; 1954). The tendency to view the father as a casual and throw-away adjunct to the life of a baby born out of wedlock would appear to require a fundamental change in the culture. Until the community at large has expectations of responsibility from the male parent as well as the female, only partial change can be expected.

### Vexing Dilemmas

Certainly, there are racial and ethnic factors in the outcomes of paternity adjudication and child support enforcement that need special attention. For Indian youngsters, tribal expectations and the wider community expectations may not always coincide. This is an area requiring research.

With the disproportionate number of out-of-wedlock births in the black community, one needs here to be concerned with the capacity of teen fathers and older partners of teen unwed mothers to generate income support that will be expected with legal paternity adjudication.

The special study on young black fathers confirms other reports that these young men typically live in large, female-headed households afflicted with high poverty rates. A high proportion have a caring relationship with mother and child, and their detachment may not always be voluntary. The extent to which fatherhood is disruptive to their lives was not disclosed in our data. However, a glimpse into the situations reported, anecdotally, of their parents becoming the custodians of their children, and circumstances in which they have to share scarce earnings with siblings as well as their children, tells us that their lives do not necessarily proceed with minimum disruption, as is often alleged.

Spelling out consequences for the father, both in caring for the baby and in assuming fiscal responsibilities, must be laid out clearly, explicitly, and with certainty, and yet the sober realities of the economic situation must also be borne in mind. How one balances these out is, indeed, a complex problem.

For some, vigorous paternity adjudication and child support enforcement is rationalized for its deterrent effect. Deterrence is understood to mean that if the consequences of adolescent parenthood are sufficiently understood, partners of adolescent women will either not engage in sexual activity or will do so only under contraceptive controls. To the extent that the group desists from their sexual behaviors because of fear of the consequences, there is a deterrent effect.

The data here are not clear, however. For example, one notes that in Shelby County and Memphis, Tennessee, which has a vigorous paternity adjudication and child support enforcement system, there has not been a downturn in its very high rates of out-of-wedlock births. From an extensive interview (attached to the full report on the project), one learns that 24 hours after the baby is born, a paternity counselor appears. Furthermore, blood testing equipment is available in the court system, and a very high rate of paternity adjudication followed by vigorous child support enforcement is the tradition in Shelby County. Nevertheless, as mentioned previously, no deterrent effects of such procedures can be perceived. However, whether the community has undertaken a comprehensive "consciousness raising" approach, which would include education in these issues in area high schools, is unclear.

The lack of data on private arrangements forces us to the conclusion that we may have a two-class system. Although it appears that non-AFDC families are using, to some extent, the IV-D resources for child support, few apparently have availed themselves of the paternity adjudication services. This leaves us with a strong, and perhaps well founded, suspicion that the adolescents in affluent social classes receive a different kind of attention from their private attorneys in terms of their rights and strategies for avoidance, whereas lower class fathers are dealt with coercively in pursuit of support payments.

Establishing, therefore, a realistic level of responsibility for both teenage parents, detached from social class considerations, is, indeed, a tricky business.

Good cause exceptions provide some vexing dilemmas, as well. On the whole, it is extremely important to maintain this as a way of noting that some kinds of family connections should not, in fact, be formed. However, there appears to be a tendency to misuse this as a strategy of evasion. Wide discretion on the uses of good cause exceptions are reflected in national reports.

Noting a persistent observation of the teen mother as "gatekeeper" to paternity adjudication, we are faced with the dilemma of balancing competing interests: reinforcing the mother's propensity to safeguard her autonomy in shaping a relationship with the father or asserting, as a primary obligation, securing the basic right of a child to dual parentage. One fully understands the ambivalence of social agencies and community programs. Nevertheless, it is our position that the child's



rights to a claim on the personal and economic resources of both parents transcends the immediate gratification of either parent in this matter.

Lastly, we have changing views in the once-hallowed tradition of "giving the child a name." Traditionally, this was considered an important and valuable part of paternity adjudication, since naming the child was customarily thought of as giving the child the father's name. One could rightly ask at this point, with the changing roles of men and women, whether or not this has any intrinsic value. Fading as a value as women themselves resist surrendering their names in a marriage ceremony, the notion of carrying the father's name may have dwindling advantage for the child.

Normative community expectations are in flux on this as well as associated issues reflecting changes in male-female relationships. Nevertheless, these relationships should be subordinated to the primary concern: enhancing the situation for out-of-wedlock children for the 18 years of their minor status.

### Recommendations

To safeguard the interests of the child of adolescent parents, a broad-scaled plan of action will be required. The interests of the child cannot be left to the separate and sometimes contending interests of AFDC, IV-D offices, social programs, the courts, teen parents, or their parents. A comprehensive and integrated campaign is required in which the community itself is party to the effort.

To this end, we have formulated eight recommendations.

1. Review existing statutes and judicial philosophies on paternity adjudication. Examine administrative procedures and legal protections for minor unmarried parents, and bring these into conformity with the standards set by the Uniform Parentage Act. State commissions would be an appropriate vehicle for this effort. These should have broad-based representation from various community perspectives.
2. Prepare accurate information for teen parents (both written and visual) that clearly and consistently describes the benefits that accrue to out-of-wedlock children with paternity adjudication; the legal protections afforded minor fathers and the AFDC and IV-D regulations that affect minor mothers. Accurate information should also be prepared for advocacy groups, programs in schools, clinics, hospitals, and community-based agencies. Legal services or local units of state bar associations are appropriate agencies to provide source material for right to counsel in contested cases; statutory rape issues; the uses of guardian ad litems; the financial obligations in blood tests; medical expenses; and child support.

3. Expand social work knowledge of the issues. Social workers interact extensively in planning for unmarried mothers, and to some extent (although sparsely) with fathers. Therefore, the profession should be required to develop content on issues in paternity adjudication for the minor baby. A syllabus for inclusion of this material could be developed.
4. Institute a counseling environment in AFDC and IV-D offices with uniform materials for teen parents, such as the benefits that accrue to the child from paternity adjudication; legal protections for minor parents; a clear understanding of "good cause" exceptions. The words of a IV-D office in Minnesota capture an approach for the most promising tone for the counseling environment and materials: "Be realistic; reduce the retaliation and harassment that is part of the fear and anxiety of the financial responsibility, and de-mystify the whole process."
5. Redesign outreach programs to enlist the participation of unmarried parents. The school setting is a focal point for outreach. Easy-to-read monographs on legal rights should be available. A non-threatening counseling environment should be established for both young mothers and young fathers of out-of-wedlock children. Accurate information on the process of paternity adjudication should be addressed by an expert from the community. Specific strategies for reaching the "phantom" father must be addressed.
6. Enter a stipulation of support for every child, even if the amount is nominal. Stipulations for "in-kind" support such as hours of child-caring should also be considered an option. As young men mature into adult earners, the prospect for future payments should be acknowledged.
7. Recognize the independent interests of the child in paternity proceedings. Actions brought by IV-D offices in paternity proceedings do not, typically, make the infant a party to the action. Although this option is open to all states with the appointment of a guardian ad litem to represent the independent rights of the child, there is little evidence that states use the option.
8. Create demonstration programs that have the following characteristics:
  - a. Broad based representation on the advisory group that oversees the project; AFDC, IV-D, the court system, as well as the community programs and institutional programs that interact with adolescent parents. Of particular interest is representation from Legal Services which interacts with low income constituencies.
  - b. A common understanding among all the advisory participants that materials developed will be distributed widely through their networks (good materials exist in scattered sites; they need to be presented as models that might need modification for each state).

- c. Support for a media campaign that alerts the community to the issues in paternity adjudication and child support enforcement for adolescent parents.
- d. In those states which have not passed the Uniform Parentage Act, this should be a focus of attention.
- e. Each proposed program should demonstrate that it has formed a linkage with all of the relevant agencies that deal with adolescent parents.
- f. Evaluation of programs should include a measure of broadening support for paternity adjudications.

\*

\*

\*

\*

\*

## ACKNOWLEDGEMENTS

We appreciate the support of Prudence Brown of the Ford Foundation; and the support of Carol Berde and Russ Ewald of the McKnight Foundation for this Project. The Center for Urban and Regional Affairs, University of Minnesota, also provided valuable services and an on-going interest in the enterprise.

We also wish to acknowledge the participation and cooperation of Bonnie Becker and Mary Anderson of the Minnesota State Office of Child Support Enforcement, as well as several staff members of IV-D offices who assisted in the preparation and field testing of the questionnaire.

It should be noted that an indispensable contribution to this report was made by teen parents, the staffs of community agencies associated with teen parents, IV-D offices throughout Minnesota, and the Hennepin County unit on unmarried parents that arranged an important group meeting on paternity issues. Thanks also to Cecilia Sudia, of the Children's Bureau at the U.S. Department of Health and Human Services, who arranged a meeting in Washington, D.C. to review preliminary findings.

The staff of this project worked with unflagging commitment to explore the matters affecting the rights of children born out of wedlock. We wish to acknowledge the contributions of Dr. Stanley Battle, Lois Geer, Candace Schmit, Charles Stephens, Cathy Thal, and Ruth Winger. An interim paper, "Summary: The Rights and Protections Afforded Minor Defendants in Paternity Proceedings," was prepared by Jill Frieders, then a law student at the University of Minnesota Law School, under the supervision of Professor Robert Levy, Law School, University of Minnesota.

## PREFACE TO THE STUDY

The precipitous rise in births to unmarried women during the last two decades, especially among teenagers, has been recognized by many as an extremely serious social problem. In thinking about this issue, one is inevitably drawn to paternity adjudication as a pivotal concern.

Paternity issues are an absorbing topic for family law specialists and for those who deal with the implementation of the Child Support Enforcement law. The issues, however, are not well understood by teen parents. Nor is the significance of paternity clearly understood by the public, especially those who have a close relationship to adolescents.

As we approach the topic we see that it is an arena of contending interests. Adolescent mothers, fathers, their parents, and the state each have differing stakes in outcomes of paternity adjudication. Whether or not these perspectives coincide with the "best interests" of the out-of-wedlock child is open to question. Long term consequences are of major concern here.

The study intends to explore the potential and limitations of encouraging a shared responsibility toward the future security of the out-of-wedlock child during the 18 years of its minor status.

The framework of the study was derived from the following social goals:

1. The necessity to emphasize the long term benefits that may accrue to the minor child from paternity adjudication.
2. The importance of restoring a role for adolescent fathers or older partners of teen mothers in the paternity adjudication process.

3. The value of securing a base, through child support enforcement, for the economic stability of minor children born out of wedlock to minor parents.

4. The significance of fostering a sense of equity in consequences and responsibilities for both the female and the male parent.

This report is the final paper of a year-long study of Paternity Adjudication and Child Support Obligations of Teenage Parents, funded by the Ford Foundation in cooperation with the McKnight Foundation and the Center for Urban and Regional Affairs.

We conducted interviews, arranged a few panel meetings, and visited with a number of concerned individuals. We also explored the literature and examined data from previous studies. Particularly useful was a 1979 study, "A Project to Determine the Legal and Social Benefits, Rights and Remedies Accruing to Illegitimate Children Upon the Establishment of Paternity," conducted by the Center for Health Sciences Research, University of Southern California; "A Case Comparison Study of Teenage Fathers and Their Non-father Peers," conducted by the University of Tennessee Center for Health Sciences; and "Child Support Enforcement Programs: Their Relevance to School-Age Parents," conducted by the Center for Employment and Income Studies, Florence Heller Graduate School, Brandeis University.\*

Available to us were three papers prepared by graduate students in the School of Social Work, University of Minnesota (noted in the bibliography), and a literature review prepared by a doctoral student, Ruth Winger. We also appreciate the availability of a paper, in draft form, "Teenage Fathers: Research Directions for the Future," by Freya L. Sonenstein, Ph.D., The Urban Institute, Washington, D.C.\*

---

\* Note that full references are available in the bibliography.

Interim reports summarized the progress of the study and a paper based on the findings was prepared for the Research Seminar sponsored by the Office of Child Support Enforcement in Washington, D.C., in August, 1984.

Missing from this study is a report on Hispanic teen parents and their special concerns with paternity. Time and resource constraints explain this omission. Further, data from a significant sample of interviews with native American teen parents is also absent. However, our analysis of the size of the problem from existing data alerts us to the necessity for further research.

A paper on the legal issues is in a final stage of preparation and will be available shortly. An interim paper, "Summary: The Rights and Protections Afforded Minor Defendants in Paternity Proceedings," has been included.

### The Study

This exploratory study was designed to reveal issues on policy, practices, and the legal domain that are entwined in the complex interplay of Title IV-D, AFDC, various social programs, particularly as they affect minor parents and their minor children.

Data have been derived from 207 interviews. Mailed self-report questionnaires were received from 78 social agencies and programs throughout the state of Minnesota, 65 IV-D offices, 64 female teen parents, and 46 male parents.

A supplementary study by Dr. Stanley Battle, at the time a member of the faculty of the University of Minnesota School of Social Work, who conducted interviews with 50 black unwed fathers is also included.

A brief statement on "good cause" exceptions, an interim report on legal issues, a telephone interview with Ed Bostick, Director, Child Support Bureau,

Memphis Juvenile Court, and a bibliography complete this study.

Three questionnaires were used during the course of this study (see Appendix). These interview schedules were pilot tested on a sample group and subsequently refined. The purpose of the IV-D survey was to obtain information from the offices that have contact with the mother during the paternity adjudication process to determine the procedures, attitudes and kind of information disseminated to mothers.

The interviews with teen parents (some carried out by interviewers, others by self-report) were carried out to determine the level of knowledge that they had on the issues in paternity adjudication and factors that encouraged or discouraged their pursuit of paternity adjudication. Questions were designed to obtain a family profile, the degree of contact with the child's father, and the level of awareness of the paternity adjudication process. Staff developed contacts with the Adolescent Parent Network of social agencies to identify eligible subjects for these interviews. An incentive fee was paid to the participants.

A third source of data for the study was derived from professional staff and community based agencies concerned with teen parents: school social workers; hospital social workers; and community agencies that participated in the Adolescent Parent Network. Questions were designed to elicit information on the level of awareness of paternity adjudication and child support issues.

The exploratory nature of this study requires a cautionary note. The data were drawn from small samples, not randomly chosen but somewhat representative of the groups surveyed.

It is a descriptive study that reveals the nature of the issues involved in paternity and child support enforcement for school age parents, attitudes, and ideas for change. While important regional and local details may be lacking, it is our contention that the study reveals the broad outlines of the issues inherent



in the subject. The findings, limited as they might be, further our understanding of the complex problems that surround minor parents and their children. Recommendations for demonstration and research flow from the conclusions.

CHAPTER I  
CHILDREN BORN OUT OF WEDLOCK: A WIDER CONTEXT

A glance at history discloses several themes that have shaped concepts in paternity. Legal concerns have been dominated by property and inheritance rights. Policy issues have been absorbed in the fiscal costs to the public treasury. Social aspects have evolved from an unrelenting indictment of "illegitimacy" to safeguard the moral code of marriage, to the contemporary context: an emerging permissive view, reflecting the changing roles of men, women, and family relationships.

The roots of modern United States law regarding "illegitimate" children appear to lie in English common law, which in this case was guided by an interest in tracing lineage for property and inheritance purposes. However, many of the contemporary laws on paternity adjudication in the United States appear to have shifted away from this emphasis to a concern with fiscal costs as increasingly large numbers of children born out of wedlock came to depend on the public treasury for support. Even as common law evolved into modern American law, the welfare of the child born out of wedlock is not mentioned as often in the literature as is the right of the state to protect itself from the costs of supporting these children.

Those twin roots of paternity concerns: property and pauperism, reflected, historically, the changing roles of men and women. According to Harry Krause,<sup>1</sup> "Blood ties are, and always have been, a principal determination of personal relationships and resulting legal rights." The legal importance of this is related to male dominance in society and its custom of tracing property and other civil rights of infants through the father, according to Krause. Indeed, the mother's legal status was considered so inconsequential that according to Krause, in the eyes of early common law, children born out of wedlock "had no parent

at all, neither mother nor father."<sup>2</sup>

#### The Contemporary Legal Context

In the 1960's, an emphasis on the rights of the out-of-wedlock child began to appear in judicial decisions. The Supreme Court, in a series of decisions, established the principle that under the Equal Protection Clause, out-of-wedlock children are entitled to the same protections as legitimate children. Indeed, few areas of the law have changed more quickly and more profoundly than has the law of illegitimacy in the recent past. "From an attitude of considerable discrimination against the child born out of wedlock, the law has moved toward legal equality between legitimate and illegitimate children."<sup>3</sup>

The principle that parent and child relationships extend equally to every child regardless of the marital status of the parents has been a guiding principle for Supreme Court decisions since 1968. This principle was clearly articulated in the language of a ruling in 1972:

"The status of illegitimacy has expressed through the ages society's condemnation of irresponsible liaisons beyond the bonds of marriage. But visiting this condemnation on the head of an infant is illogical and unjust. Moreover, imposing disabilities on the illegitimate child is contrary to the basic concept of our system that legal burdens should bear some relationship to individual responsibility or wrongdoing. Obviously, no child is responsible for his birth and penalizing the illegitimate child is an ineffectual--as well as an unjust--way of deterring the parent. Courts are powerless to prevent the social opprobrium suffered by these hapless children, but the Equal Protection Clause does enable us to strike down discriminatory laws relating to status of birth where--as in this case--the classification is justified by no legitimate State interest, compelling or otherwise."<sup>4</sup>

Although the Court's decisions on the out-of-wedlock child's right to support and benefits have shown some vacillation, on the whole the Supreme Court

has moved to narrow the distinctions between legitimate and illegitimate children before the law.<sup>5</sup> Decisions have been made on cases coming out of inheritance, life insurance, custody, visitation, adoption, child support, social security and workers' compensation issues.

The fair conclusion to be drawn from a long line of decisions is that state and federal law may not discriminate between legitimate and illegitimate children in any significant, substantive area other than inheritance. The marital status of parents is considered irrelevant to the rights of children. Unfortunately, however, many state legislatures have made little effort to bring their legislative statutes into this constitutional mandate of equality before the law.<sup>6</sup>

The development of the Uniform Parentage Act adopted by the American Bar Association in 1974 is considered a pivotal step in moving state legislatures to eliminate statutes which discriminate against children of unmarried parents. Several states have adopted the Act, and many have enacted some of its substantive provisions.

More recently, state legislation providing for various statutes of limitations have been struck down. In the Amendments to the Child Support Enforcement Act, August 1984, the elimination of statutes of limitations ensures the right of a child to establish paternity at any time throughout its minority.<sup>7</sup>

While state variations have added to the complexity of paternity adjudication and child support enforcement, the continuing refinements have moved toward ensuring the protection of the rights of the out-of-wedlock child.

#### The Social Policy Context

The concerted attention to issues of paternity and child support have been due, in large part, to the passage of Public Law 93-647, which added Title IV-D

to the provisions of the Social Security Act.<sup>8</sup> This law now requires that states establish mechanisms not only for the establishment and enforcement of support obligations for children receiving AFDC assistance, but it also extends this service to non-AFDC families. Further, the paternity of a child born out of wedlock is now required to be formally established.<sup>9</sup>

Wide variations exist among states in how they proceed to carry out the law. ~~demands that the states take the discretion that is associated with the states' implementation of the wide federal law~~ Despite regulations, discretionary judgments persist. A few studies have emerged to document the differences.<sup>10</sup>

#### The Social Service Context

There is a long history of resistance to the provision of a vigorous paternity and child support enforcement program among those in the social services that have been associated with unwed parents and their children.

Marsh, writing in the 1930's, states: "The axiom that he must pay, and not the taxpayers, is behind the quasi-criminal character of paternity proceedings: society punishes the individual for acts which cost it money."<sup>11</sup> Marsh also writes that a further reason for this approach to unwed paternity "stems also, in part, from the equally strong feeling that such a relationship threatens the monogamous family."<sup>12</sup>

The contention that the emphasis on the financial aspect of fatherhood is unfair to both father and child remained, until recently, the guiding principle in much of social work practice, affirming Marguerite Marsh's statement:

"It is, perhaps, quite natural in a culture which over-emphasizes the married father's economic role that the major emphases, in law and in social work practice, as well as in community attitudes, should be on the unmarried father's financial responsibility."<sup>13</sup>

Barrett and Robinson, writing fifty years later in a social work journal, agree. Indeed, writing in 1982, they take Marsh's first argument further, claiming that "If society seeks these young men out at all, it is usually with a punitive and judgmental intent. Whatever rights they may have or part they are entitled to play in the decision making about their child are generally ignored--except for their financial responsibility."<sup>14</sup>

Here we observe a long-standing concern with society's harsh treatment of the unwed mother and criticism of thinking of the unwed father only in terms of his financial contribution. The rights of the child are seldom mentioned outright.

Judith Cassetty was among the first contemporary authors to challenge social work's historic opposition to the unwed father's financial responsibility in her notable work seeking the support of the profession for implementing the Child Support and Enforcement Act.<sup>15</sup>

Professionals in the field of social welfare continue to be divided and to regard Title IV-D as controversial. Blanche Bernstein reviews the arguments in her noteworthy paper, "Shouldn't Low Income Fathers Support Their Children?"<sup>16</sup> It is worth recalling the resistance of the social services domain to a whole-hearted support of the concept that there is a fundamental obligation of parents to their children born out of wedlock: to have paternity established and support the children. Bernstein points out that much of the reservation is rooted in the potential harassment of the mother in declaring the paternity information which will stand up in court procedures; fear of abridging the civil rights of poor people; and an ideological position that the government's financial support of mothers and children should not be diminished on a rather unwarranted assumption that there is a good deal of potential among fathers to provide for their illegitimate children.

Bernstein counters these arguments. She asserts that not expecting poor parents to exert responsibility reinforces the negative position they hold in the community, impairs their self-esteem and status, and, indeed, may invalidate the substantial role that they do, in fact, play in the lives of their children.

One sketches, very lightly to be sure, some highlights in social work literature, here, in order to grasp the deep-seated ambivalence embedded in social work in supporting child support enforcement. Whether or not this ambivalence accounts for the somewhat invisible role of unwed fathers, and the detachment of social work from paternity and child support issues in their work with unwed mothers, is open for discussion.

Strikingly absent in much of the social work and related literature is a perspective that places the best interest of the minor child as a primary consideration. The fiscal interest of the state, the legal aspects of a family's inheritance blood lines, and the social welfare of mothers and fathers all bear indirectly on the fate of the child born out of wedlock, of course, but the focus on the child remains blurred.

Only recently have the independent rights of the out-of-wedlock child received some attention and this, chiefly, is from a legal perspective. It is fair to say that assumptions about unmarried parents and their children are now undergoing fresh scrutiny.

There is a growing consensus that failure to establish paternity for the great majority of children born out of wedlock is considered an injustice.<sup>18</sup> In fact, more is at stake than child support. The opportunities for enhancing the child's life are innumerable.

While IV-D of the Social Security Act, the Child Support Enforcement Program,

provides for services to establish the paternity of all children born out of wedlock and the enforcement of financial obligations of all parents (AFDC and non-AFDC) to their children, ways in which teenage parents intersect with this program are not clearly understood.

This exploratory study is designed to provide some insights into the issues of paternity adjudication and minor unwed parents.

#### The Genetic Testing Factor

A combination of legal and scientific advances have made it possible for almost every child to have legal relationships to two parents.

Advances in the science of genetic identification have changed the nature of the paternity process. If the "father" is wrongly accused, non-paternity can be proved in 95 percent of the cases. If the defendant really is the father, inclusionary blood test reports may indicate a high degree of genetic resemblance between him and the child. In other words, genetic testing is now fairly conclusive, widely available, and relatively inexpensive. Therefore, the long history of resistance to paternity establishment is in some way diminished by these genetic testing advances. These scientific advances have the potential of removing the process of paternity determination from the arena of assertion and denial of sexual contact and placing it within the scope of objectively demonstrable fact.<sup>19</sup>



## CHAPTER II

### TRENDS IN OUT-OF-WEDLOCK TEENAGE CHILD BEARING: PERTINENT DATA

The phenomenon of unprecedented rates of adolescent pregnancy and childbearing in the 1970s often referred to in crisis terms as an "epidemic,"<sup>20</sup> appears to be receding in the 1980s. By 1982, fertility rates for teenagers had declined. Yet these birth rates, especially for adolescents, are still disturbingly high. They are not only among the highest levels ever observed for the United States, but they are among the highest in the western industrialized world.

While numbers of births to teenagers (656,000 in 1970, 562,300 in 1980, and 537,024 in 1981) give us the dimension of the problem, these aggregate numbers mask the distinct differences among age groups within the adolescent category.

Childbearing rates of teenage women have declined in uneven ways. Very young adolescent mothers (ages 14,15) have declined the least from the peak of their levels in 1973 until 1981, while older mothers (18,19) have sharply decreased their birth rates over the past few decades. (The decline for very young adolescent mothers has been an average of 28.5 percent from peak year to the present, whereas birth rates for older mothers have declined by 47 percent.<sup>21</sup>)

A combination of factors may contribute to the sharper decline rates for older teen mothers: increased use of contraception; changing patterns of sexual activity; attitudes of control, self-esteem and autonomy--these appear to manifest themselves with growing maturity.

While the uneven rates of decline in birth rates within the adolescent cohort is noteworthy, the dramatic story of the last two decades is the sharp rise of teen births that are out of wedlock. In 1970 nearly 70 percent of all teen births were legitimated by marriage. In 1980 this figure dropped to 52 percent.

The number of out-of-wedlock births to women under 20 years of age tripled between 1960 and 1981. Almost 50 percent of all births to women under age 19 are out of wedlock.

The phenomenon of out-of-wedlock births is sharpened with the recognition that the number of births to married women has declined, so that a higher proportion of children are now "illegitimate." Indeed, while the number of children living with a divorced mother more than doubled between 1970 and 1982, the overall number of children living with an unmarried mother increased by a factor of more than five.<sup>23</sup>

Concern over the disproportionate share of out-of-wedlock births to young black women can be related to the information in the following table.

**TABLE 1: PERCENTAGE OF ALL BIRTHS TO UNMARRIED WOMEN UNDER TWENTY YEARS OLD BY AGE AND RACE, UNITED STATES, 1980**

<u>Age</u>	<u>All Races</u>	<u>Hispanic</u>	<u>White</u>	<u>Black</u>
<sup>q 1</sup> Total under 20	48.3	42.5	33.4	85.6
Under 15	88.7	73.6	75.4	98.5
15 - 17	61.5	50.7	45.2	92.8
18 - 19	39.8	36.5	27.0	79.2

---

\*Based on Table 11, Adolescent Pregnancy and Childbearing--Rates, Trends and Research Findings from the CPR, NICHD, April 1984.

---

While the disproportionate share of births to unwed young black women is cause for intense concern, the aggregate figures mask a significant trend: a decrease of 10 percent in one decade (1971 to 1981) in the out-of-wedlock rate

for black women (15-19) has occurred, while the percentage change for white women in that age group increased by almost 57 percent. Indeed, as the following table indicates, a decline in out-of-wedlock birth rates is occurring in every age group for black women, while the rates for white women increased substantially for every age group from 15 to 24.

**TABLE 2: OUT-OF-WEDLOCK BIRTH RATES BY AGE AND RACE,  
UNITED STATES, 1971-1981\***

Births per 1,000 women in specified age group:									
Age	All Women			White			Black		
	1971	1981	% Change	1971	1981	% Change	1971	1981	% Change
15-19	22.3	28.2	26.5	10.9	17.1	56.9	96.9	86.8	-10.4
15-17	17.5	20.2	19.4	7.4	12.4	67.6	80.7	66.9	-17.1
18-19	31.7	39.9	25.9	15.8	24.6	55.7	135.2	117.6	-13.0
20-24	35.5	40.9	15.2	22.5	24.9	10.7	131.5	112.5	-14.4
25-29	34.5	34.7	—	21.1	21.6	2.3	100.9	86.4	-14.4
30-34	25.2	20.8	-17.5	14.2	13.6	2.4	71.8	47.2	-34.3
35-39	13.3	9.8	-26.3	7.6	6.9	-4.2	32.9	20.4	-38.0
40-44	3.5	2.6	-25.7	2.0	1.8	-9.2	10.4	5.8	-44.2
15-44	25.5	29.6	16.1	13.8	18.2	31.9	96.1	81.4	-15.3

\*Based on data from the National Center for Health Statistics, Fertility Tables for Birth by Color: United States, 1917-73, DHEW Publication No. (HRA) 76-1152, U.S. Government Printing Office, 1976; and National Center for Health Statistics, Monthly Vital Statistics Report, "Advance Report of Final Natality Statistics, 1981," Vol. 32, No. 9, Supplement, December 29, 1983.

While we are unable to account with specificity for the rise and fall in out-of-wedlock rates by age and race, it is, perhaps, reasonable to assume that for young black teenage women, the concerted efforts through various social programs and the availability of abortion have produced a downward trend. The upward trend for white females is accounted for, perhaps, in their increased sexual activity.<sup>24</sup>

Paternity Adjudications as Reported to the Office of Child Support Enforcement,  
U.S. Department of Health and Human Services<sup>25</sup>

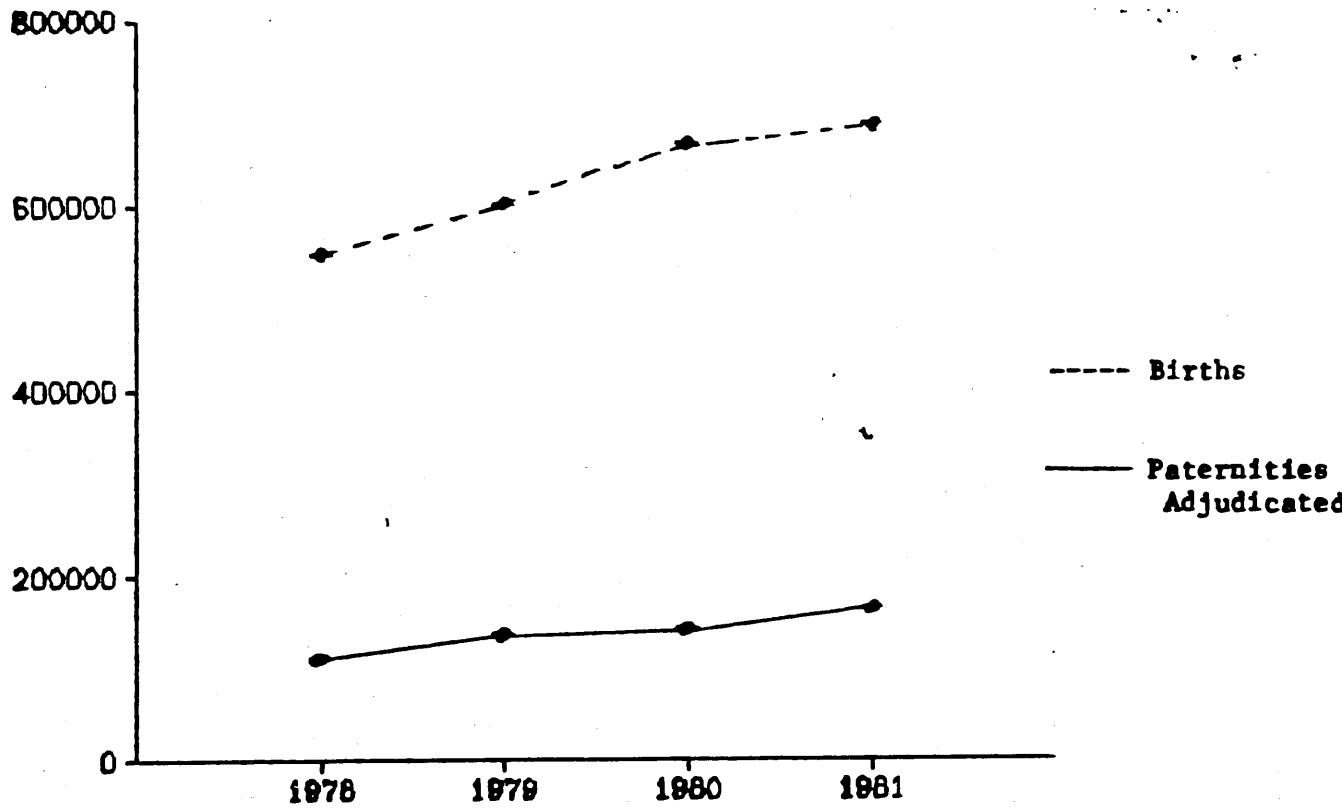
Although one might have expected paternity adjudications to increase after passage of the IV-D amendment in 1975, data indicate that the number and rate of legally established paternities, as reported, remains, instead, strikingly low.

Illustratively, Table 3 indicates that in 1981, almost 19 percent (686,605) were out of wedlock. For the same year, paternity was adjudicated in only 23.82 percent of these cases. (Note: the figures on this table should be viewed with some caution. The figures may include paternity adjudications for births that occurred in previous years; the wide disparities among the states in numbers of adjudications are due to factors not fully explicated).

Further, the large gap between the number of out-of-wedlock births and the number of paternity adjudications remained remarkably stable between 1978 and 1981, as shown in the following graph.

FIGURE 1

NUMBER OF OUT-OF-WEDLOCK BIRTHS AND PATERNITY ADJUDICATIONS <sup>26</sup>  
1978-1981



**TABLE 3: PROPORTION OF OUT-OF-WEDLOCK BIRTHS ADJUDICATED  
BY STATE IN 1981**

	Number of <sup>27</sup> <u>O/W Births</u>	<u>O/W Ratio</u>	Total <sup>28</sup> <u>Adjudicated*</u>	Percent of <u>O/W Births</u> <u>Adjudicated</u>
United States	686,605	189.2	163,582	23.82
Alabama	13,865	225.2	4,884	35.23
Alaska	1,651	163.5	73	4.42
Arizona	9,477	184.1	542	5.72
Arkansas	7,528	210.2	677	8.99
California	91,330	217.1	22,899	25.07
Colorado	7,105	134.6	1,103	15.52
Connecticut	7,696	192.8	3,769	48.97
Delaware	2,226	242.4	694	31.18
District of Columbia	5,248	570.4	907	17.28
Florida	32,947	237.9	7,557	22.94
Georgia	21,102	234.6	5,239	24.83
Hawaii	3,287	180.5	794	24.16
Idaho	1,656	84.4	79	4.77
Illinois	42,420	229.3	6,028	14.21
Indiana	13,990	165.3	1,287	9.20
Iowa	4,949	107.8	1,373	27.74
Kansas	5,101	123.7	1,074	21.05
Kentucky	8,799	153.7	2,157	24.51
Louisiana	19,374	235.6	2,869	14.81
Maine	2,368	143.3	339	14.32
Maryland	16,357	266.6	10,435	63.80
Massachusetts	11,875	160.4	3,564	30.01
Michigan	22,999	163.5	10,696	46.51
Minnesota	8,010	116.7	2,526	31.54
Mississippi	13,341	288.6	1,725	12.93
Missouri	13,754	178.7	476	3.46
Montana	1,912	133.6	97	5.07
Nebraska	3,268	120.3	268	8.20
Nevada	2,132	151.2	395	18.53
New Hampshire	1,547	114.4	71	4.59

TABLE 3/continued

	<u>Number of<sup>27</sup> O/W Births</u>	<u>O/W Ratio</u>	<u>Total<sup>28</sup> Adjudicated*</u>	<u>Percent of O/W Births Adjudicated</u>
New Jersey	20,401	211.1	11,282	55.30
New Mexico	5,383	201.6	1,258	23.37
New York	59,496	245.5	12,041	20.24
North Carolina	16,223	193.7	6,728	41.47
North Dakota	1,127	90.9	328	29.10
Ohio	30,555	182.9	7,658	25.06
Oklahoma	7,553	140.7	698	9.24
Oregon	6,406	148.9	2,199	34.33
Pennsylvania	29,957	186.7	7,305	24.38
Rhode Island	1,968	158.1	354	17.99
South Carolina	12,299	237.2	1,536	12.49
South Dakota	1,742	136.8	137	7.86
Tennessee	13,672	203.8	5,669	41.46
Texas	38,031	135.0	1,822	4.79
Utah	2,711	65.6	1,076	39.69
Vermont	1,109	139.5	245	22.09
Virginia	15,367	193.9	1,995	12.98
Washington	10,096	144.8	981	9.72
West Virginia	3,711	133.3	484	13.04
Wisconsin	10,622	142.9	4,672	43.98
Wyoming	952	88.0	88	9.24

\* = FY 1981

Summary: Observations on Trends

While the rate of out-of-wedlock births is strikingly high in this country, significant variations by age and race should be noted. Younger age groups within the cohort show the least decline. Moreover, looking at the racial factor, one notes that the rate is increasing for young white women and decreasing slightly for young black women. However, this should not obscure the fact that very high rates of out-of-wedlock births exist, especially for large urban centers. In this regard, one notes that a recent study disclosed that in Chicago, Illinois, 45 out of 100 children are born out of wedlock.<sup>29</sup>

Whether or not the high proportion of out-of-wedlock births signals the beginning of a family formation that will be accepted without societal stigma remains to be seen. Certainly, societal attitudes toward "illegitimacy" have changed substantially over two decades. Especially interesting are the studies which corroborate a marked change among adolescents: more teenagers feel that they will never get married and do not intend to get married. They also believe that having a child out-of-wedlock will not hurt their chances for marriage.<sup>30</sup>

While social attitudes of acceptance may be increasingly the case, the poverty status of "illegitimate" children persists. Indeed, one of the most powerful predictors of a child's destiny is the family structure into which it is born. To be born to an unmarried mother places the child at the highest risk for poverty. Among all single parent families (separated, divorced, widowed and unmarried), it is the children of unmarried mothers that suffer the greatest economic deprivation.<sup>31</sup>

Taken together, perhaps all these trends suggest why paternity adjudication and child support enforcement of teen parents are emerging as critical issues.



### CHAPTER III

#### FINDINGS FROM THE STUDY

Basically, the study was designed to gain some knowledge in the following areas:

1. The procedures and experiences in dealing with teenage parents by the child support enforcement offices (IV-D).
2. The accuracy of information on paternity adjudication possessed by teen parents; influences on their decision making; and their attitudes toward the issues.
3. The accuracy of information on paternity adjudication possessed by the staffs of programs and agencies dealing with unwed parents and their role in decision making.

#### Data from Survey of County IV-D Offices

The first official place to encounter paternity adjudication, often after AFDC eligibility has been determined (or in non-AFDC cases for those who wish to pursue paternity issues), will be the IV-D office. The personnel instructed to carry out the procedures outlined in the child support enforcement program is usually located in a county attorney's office. In Minnesota there are 87 offices that administer paternity and child support enforcement, supervised by a state office located in the Department of Human Services.

Eighty-seven counties were sent, by mail, a self-report interview schedule, with an 80 percent return. Responses were grouped according to the size of the counties, ranging from those counties which currently had under 200 IV-D cases to large counties with caseloads ranging from 11,000 to 21,000.

Outside of major urban areas, the caseloads of minor adolescent males in paternity action and child support enforcement are relatively small throughout

the state. Older partners of teenage unwed mothers are also a relatively small part of a general caseload. Indeed, one county reported that they had not had a teenage father on their caseloads for the last three years.

Organizational structures for carrying out the tasks of IV-D varied, depending chiefly on the size of the caseloads. Only large metropolitan counties had "paternity" counselors, someone from the staff assigned to deal only with paternity issues. Small and medium sized counties use their staffs in interchangeable ways to carry out the typical tasks of IV-D offices: interviewing mothers; negotiating child support stipulations; gathering information and interviewing fathers; arranging for blood tests; preparing disputed cases for trial; monitoring enforcement of support orders.

In small counties, the linkages between IV-A functions (AFDC eligibility procedures which require that the applicant assign her right for child support to the state and cooperate in locating the father and in establishing paternity) and IV-D functions (paternity establishment and child support enforcement) are on an informal basis, since the offices are usually adjacent and facilities shared. As counties deal with larger caseloads, the procedures become routinized through formal channels of communication. For example, "good cause" exceptions, which are granted by IV-A, are rarely reviewed by IV-D.

Only one IV-D office noted that they have recently added a male worker especially to deal with unmarried fathers.

#### Procedures for Approaching Teen Fathers

While almost all respondents reported that they routinely contact putative fathers, a wide variety of methods were used to inform the father of the paternity adjudication process. Telephone, mail, sheriffs, or sheriffs' agents

were all used. Occasionally, the complaint is served through the guardian ad litem; sometimes it is served on the alleged father and the guardian ad litem.

The size of the county appeared to be a factor in whether the contact was formal or informal. However, differences were noted in two contiguous metropolitan counties. In one county, the father is served notice in a mailed letter with documents and explanation enclosed. In the neighboring county a sheriff or a sheriff's agent serves the complaint.

The kinds of information that is shared with the father and the way it is shared also reflected variations:

- The availability of blood tests is not routinely mentioned.
- In only ten out of 67 responses were the specific advantages to the child discussed as an encouragement for paternity adjudication.
- Small counties most frequently responded with a comprehensive list of information, illustrated in this response from one such county:

"We go over the alleged father's rights and the privileges provided for a child as outlined in the Declaration of Parentage. We also explain to the alleged father that in our county, we seek a judgment for the total medical and hospital bill for the confinement and delivery. In addition, we ask for a judgment for the amount of AFDC paid by the county until the child support commences."

The quality and context of the interaction with the putative father was only imperfectly captured in the survey. Reflecting the anxiety of the fathers, note the following comments: "The allegations and his rights are explained to the alleged father. Only after we are sure he understands his rights do we get into his responsibilities."

"We always try to schedule a second interview to let him go home, consult with his parents, and decide what it is he has to do."

"Most fathers, if they are teenagers, are completely unaware of what is involved..."

While acknowledging that sensitive and skilled interviewers are required for paternity work, 95 percent of the respondents did not feel that this should be handled by social service personnel. Perhaps this comment from a small county in rural Minnesota expresses the general reservation about permitting social service personnel to deal with paternity adjudication:

"Paternity adjudication and the consequences is a legal matter and needs to be handled as such. The law is clear that we are safeguarding the rights of the infant. When I first started in this field, our social service workers were responsible, and we seldom had an adjudication. Decisions not to proceed were usually based on subjective reasoning of social workers, with bias in favor of unwed mothers."

#### Representation for the Father

Forty-four percent indicated they provided both a guardian ad litem and an attorney. Thirty-three percent noted that an attorney also acts as a guardian ad litem; and 22 percent indicated that they had a guardian ad litem only.

In a large metropolitan county which handles a great many paternity adjudications, guardian ad litems are not routinely assigned to minor fathers. The cost item is mentioned as the deterrent in this case. On the other hand, another county in close proximity routinely selects a guardian ad litem from a pool, typically made up of volunteers. There appears to be no evidence, however, that these guardians are especially trained to be knowledgeable about paternity adjudication, its responsibilities and consequences.

Contested paternity among teenage parents and partners of teenage mothers is a small percentage of all contested cases (in one metropolitan county where 600 paternity actions took place in one year, 25 have been contested. Of these, only two have been of minor fathers).

### Setting Priorities

No formal policy on priority setting emerged. Rather, the determining factor appears to be the size of the caseload. All respondents indicated, in one way or another, that if priorities need to be set (pressure of caseloads), everything is subordinated to actions that will facilitate recovery of child support. Paternity adjudication is generally acknowledged as an important item for both AFDC and non-AFDC clients. However, the following captures the reality that guides most IV-D offices: "There is little or no financial incentive in teenage paternity adjudications, and when caseloads become heavy there is an acknowledgment that little attention can be paid to paternity of teenage parents because the recovery of child support is dim." Another comment on the realities of large caseloads and understaffed offices: "Often cases (after initial review) are prioritized not by the child's right to have paternity established, but by potential payor's ability to pay (including ease of collection). The likelihood of successful adjudication of paternity is greatest if action commences prior to the child's birth, or within the first six months after the child's birth. So, if an initial interview case is determined to be 'not cost effective' it will not be reopened."

In a large urban county with a heavy caseload, when it is learned that the alleged father is within six months to a year of becoming emancipated, the case is put on "hold." The father's age and other circumstances in the case may be persuasive in a decision to put off paternity adjudication.

### Referrals from Private Attorneys

In Minnesota there is not an overwhelming number of referrals from private attorneys. Only rarely is paternity adjudication referred from private attorneys,

while a small number of child support enforcement, non-AFDC cases come from the private legal sector. It is interesting to note that a few counties reported that when there was public information on the services offered by the county through the IV-D office, it appeared to stimulate referrals.

#### Issues in Statutes of Limitations

As noted in Chapter I, statutes of limitations on paternity actions have now been eliminated. Much of the survey work had already been done when this legislation was formalized, however, and some of the observations from IV-D offices may prove illuminating as background for the reasons behind this change.

In Minnesota, the statute of limitations for mothers to bring an action was formerly three years. An action on behalf of the child could be brought for three years beyond minority status, i.e., up to 21 years. Almost two-thirds of the respondents confirmed a trend of delayed requests for paternity action, generally two to three years after the birth of the baby (but sometimes later). Changing circumstances, such as economic hardship and rumors of the father's affluence stimulate a renewed interest in paternity. Typical of responses from IV-D offices are the following:

"If the three year limitation of the mother to establish paternity has expired, we would research the case to determine if a petition for guardian ad litem on behalf of the child could be appointed to petition for adjudication. If the three years has not expired, we would attempt to consider this a rush case to get the alleged father served within the time limits." This came from a rural county.

This, from a small county outside of the metropolitan area: "Single women with children seem to have discovered that there is going to be a financial hard-

ship and disadvantage in being solely responsible for a child's upbringing. They tend to lose the 'Prince Charming' ideal and realize that their knight in shining armor is not going to come along and rescue them from their plight."

"Particularly, we are seeing more women who have never received AFDC coming in and asking for services. Their reasons include wanting to live independently, away from their parents' home; to be able to obtain further education; or just being tired of taking full responsibility for child rearing emotionally and financially, while the father's lifestyle remains unchanged."

When the three year statute of limitations had run out for the mother, actions through a guardian ad litem were routinely brought on behalf of the child.

#### Observations on Teen Parents

Immature, irresponsible, lacking education and skills, lacking financial resources; these were the commonly identified attributes of the teen parents, as seen by IV-D staffs. A negative portrait of both the male and female parent emerged from a large number of respondents.

The following quotations capture the feeling that time and effort spent by IV-D offices in pursuit of their goals with teen parents is unrewarding.

"They are so young that they do not realize the responsibilities of caring for the physical and financial needs of a child. Most of them are still in high school, have no education and skills for jobs, etc., and therefore the enforcement of payment of child support is impossible. The end result is a difficult situation for everyone involved, and perhaps the child suffers the most." This was from a small county outside of the metropolitan area.

This, from a small rural county: "...the biggest problem is when the mother has named multiple fathers...the biggest obstacle is that in most cases there is

no money or income to even set a support amount much less collect...when we set a support amount (that is realistic) the teenage father has been a very reliable payor..."

In one urban county, paternity issues are dealt with only through the mother: "There is no reason to work with him." In a neighboring county, there is an attempt to interview the father, but informally it was acknowledged that most of the counseling occurs in an improvised way, in the hallway before his appearance before the judge.

Although this study did not survey the judiciary for its role in paternity adjudication and child support enforcement, observations from the IV-D data disclose wide variations among judges in their attitudes and procedures. An Affidavit of Paternity (widely used in hospitals) is accepted by judges in one county, while a Declaration of Parentage is the only document accepted next door. Further, the use of guardian ad litems appears to depend very much on the decision of the staffs in the county attorneys' offices.

Only one county reported that a judge, in all cases of fathers still in high school, stipulated that a support payment be entered: \$10 per month, in order to establish the principle of child support.

Although the size of counties appears to be a determining factor in approaches to adolescent parents, same-size counties in Minnesota also vary in significant ways. Counties differ in their acceptance of documents for formal adjudication; procedures in informing the putative father; methods of giving him information; and arranging legal protection.

A common observation was noted, however, in comments from the survey data: fathers in long term relationships are ready and willing to acknowledge paternity, but a large portion of teen mothers strongly object to agency efforts to pursue paternity. A consistent way of giving teen mothers information on what benefits



would accrue to her child from paternity adjudication was totally absent.

Two issues were identified as particularly troublesome. One is the time lag between adjudication and the time when the father can start paying support. "If the father is going to college or vo-tech, there can be a time span of up to six or seven years. You have to keep track of what's going on during that time."

Secondly, the negative role played by the grandparents is mentioned. Consider this observation from a medium sized county: "...the role the parents of the teenager play is that the teenager has a difficult time sharing with its (sic) parent all of the factors surrounding conception and sexual relationships, which are necessary information to the agency to get an adjudication. Yet that parent has the right to be there. The hardest part is getting the truth when the parents are present. For this reason we recommend not having parents appointed as the guardian ad litem."

Many IV-D offices reported that when they did contact the unmarried father, his information was often partial and incorrect. Nevertheless, nearly 94 percent indicated that they were not aware of any programs that had been specifically set up for teen fathers in their counties. A few respondents noted that teen fathers had been involved in parenting classes after the baby had come, however. Eighty percent felt that paternity counselors should be available for community education, and also recommended that information on paternity adjudication and child support enforcement be available in high school classes.

#### Data from Survey of Social Service Programs

Networks of programs exist throughout the state serving pregnant adolescents and adolescent mothers. Few programs exist for the unmarried teen father. In an effort to understand the role of these programs in shaping decisions about

paternity adjudication, self-report interview schedules were sent to hospitals and hospital-based programs, programs in school social work, and community-based programs; a total of 78 were received from both urban and rural settings. Fifteen questionnaires were returned from hospital settings, 45 from school social workers and 18 from community-based agencies. The questionnaire was field-tested. A curtailed version, on the advice of the State Director of School Social Work, was developed for distribution to school social workers. The hospital and community based agencies were identified in the metropolitan area on the basis of their service to adolescent parents. All school social workers throughout the state who had access to secondary school populations (300) were mailed a questionnaire. With 45 returns, we could only speculate that many did not deal with adolescents or had little knowledge of the content in the questionnaire.

The interview instrument was designed to secure information on the accuracy and extent of knowledge on paternity issues; observations on influences in decision-making of adolescent parents; observations on the participation of teen fathers or partners of teen mothers in their program activities.

One is aware that programs serving unmarried parents such as hospital and health based programs, the school based programs, and programs operating in community settings do not often share a common goal. Some are directed to the health of the mother and infant, others to the psychological and financial crises of the teen mothers, others deal with family planning issues. Parenting, advocacy, adoption, child welfare, and crisis intervention are also identified as services offered.

Generally, these programs (except for two that specifically attempt outreach and services to teen fathers) are chiefly devoted to teen mothers as clients and are themselves chiefly staffed by women.

### Knowledge of Paternity Adjudication Procedures and Issues

School social workers, personnel in social services agencies and hospital personnel had limited information on both procedures and issues. In a "True-False-Don't Know" test, "Don't Know" emerged as a common response. In a further exploration of their understanding of basic concepts on the rights of the minor father, the eligibility requirements of AFDC, the benefits for the minor child, and paternity establishment procedures, information was often factually incorrect, vague, and rumor-laden. Whatever information acquired often came from the clients who were AFDC recipients.

### Observations on Teen Parents

Fathers are rarely seen in the programs and agencies surveyed. Most comments noted that fathers play a dwindling role as pregnancy moves to term and during the first year of the baby's birth. Outreach programs have had meager success. A high proportion of respondents noted that although fathers may be interested in becoming involved, teenage mothers are the "gatekeepers." Indeed, for many fathers, being able to name the child as theirs is very important. "He is willing to pay the price of admission, child support and paternity, if only he can have his name attached." As gatekeepers, however, teen mothers can avoid naming the baby's father in order to retain autonomy, avoid abusive relationships, or risk disturbing a new relationship with someone other than the father of the child. A widely underscored recommendation from these programs was that mothers need education on the rights of fathers, as well as on the rights of their minor children.

In the small number of programs serving Native American teen parents, respondents noted that from the father's perspective, the statement of

paternity acknowledgement is a "manhood" statement, and indeed, it was reported that in many groups it was "macho" to claim the teen mother and child as theirs. There was virtually no reluctance to declare paternity, especially if the infant was a male.

Two interviews were conducted with programs that dealt primarily with unwed fathers. The staff here has a good grasp of paternity procedures, and indeed is prepared to refer to legal services for additional help in clarifying the issues. The difference in approach is significant.

These two programs related the devastating effect of incompetent and insensitive interviewers in IV-D offices on the question of encouraging fathers to acknowledge paternity. If information is presented in the context of punishment and threat, it was asserted, the opportunity has been "blown."

Respondents held somewhat uniform perceptions on the role of the mother. Since most of the programs are absorbed in assisting the mother to grapple with survival issues and basic human needs, their identification with her serious problems tended to reinforce her need for autonomy. "She has a right not to name the father, if it is not in her best interest." (an adoption agency worker). "Shifting her attention to long term benefits for the infant is unrealistic." (a social worker in an adolescent mother program).

Moreover, it is in the comments from personnel in these programs that one acquires a broad range of reasons on why paternity is a "lost cause" for many unwed mothers. The long term benefits for the infant are too distant; the child support advantage is undependable, meager, and, in the end, makes no difference if they are on AFDC.

Paternity adjudication is perceived as a permanent association with the father. According to social service personnel, for some mothers in transitional relationships, this is to be avoided. In other situations, procedures in the formal adjudications may endanger an already "fragile" relationship. For the teenage mother, it means giving up a certain amount of autonomy with regard to visitation and, perhaps, discouraging other relationships which could lead to marriage. In other words, paternity adjudication from the teenage mothers' point of view, may complicate an already very complex set of relationships.

Generally, respondents in both school social work and social service programs accept the mother's decisions on paternity issues with little discussion. The father's dwindling role is accepted as an inevitable reality.

About half of the respondents stated paternity issues are not discussed or even mentioned in their group meetings. (It is important to note, however, that just the knowledge of this study has helped to raise the consciousness among these networks on the importance of knowing about paternity adjudication and its focus on the benefits to the child. A number of programs have already invited paternity counselors to address the question).

#### Observations on Grandparents

The respondents were unanimous in noting that the mother's parents played a significant role in her decision to maintain or dissolve the relationship to the father. However, no easy stereotypes exist. Some will insist on paternity "to give the child a name." Others will encourage the adolescent mother to avoid any legal action that will give the father any privileges, such as visitation.

For the male's parents, typically, a more negative response is recorded.

This is corroborated by IV-D personnel, who report that these grandparents frequently disbelieve the allegation or blame the adolescent mother for entrapment of their son. Among parents of the adolescent father, a defensive attitude is reported: "She was playing around," or "It was up to her to take care of the problem."

#### Observations on AFDC and Court Proceedings

Those respondents who commented on what factors discouraged paternity adjudication generally blamed the hostile and threatening environment of both AFDC and the court proceedings. "\_\_\_\_\_ County subjects the partners to sexual questions of the crudest kind, even though the father has admitted paternity and a willingness to pay support."

The AFDC system and the court system are seen by teenage parents as intimidating, coercive and punitive. It was generally acknowledged that not knowing what would happen and the uncertainty and rumors of criminal prosecution that follows paternity adjudication is probably what prevents many teen fathers from coming forward.

According to social service personnel, teen mothers report that court procedures are very difficult. Intimidation and a climate of abuse are associated with court procedures.

Further, because there is an overall belief that child support is undependable and meager, it cannot be relied upon as a source of income, no fiscal advantage is seen in pursuing paternity adjudication. This view is shared by a great many staff members of programs working with adolescent mothers. One worker noted: "When the father signed the Declaration of Paternity, it delayed her getting the AFDC check and she had nothing to live on in the meantime..."

New AFDC regulations are perceived as causing young teenage parents to establish independent households, even when it is not in their best interest (tighter eligibility guidelines do not permit income maintenance for mother and child even though her parents may be very marginal in their own economic resources).

### Hospital Settings

While the AFDC eligibility process may provide the first encounter with paternity procedures, the first tangible consideration occurs twenty-four hours after the birth of the baby, in the hospital.

Interviews were conducted in hospital settings in which high numbers of adolescent females give birth.

Hospitals, responsible for filing birth records with vital statistics, vary widely in their procedures. One hospital that has a large share of unwed mothers dispatches a medical records worker to collect information with a routine, clerical task in mind: "We don't ask questions; we don't ask fathers to sign the birth certificate. After all, the mother is the primary parent."

In other hospital settings, the naming of the child for the birth certificate opens up the paternity discussion. Anecdotal material reveals how nurses advise on this issue and how grandparents intervene. Rarely is the social worker engaged in decision making on this issue.

An Affidavit of paternity, which means that the father must appear to sign before a notary, is sometimes presented as an option by hospital staff. A discussion around this in a counseling environment appears to be minimal, however.

So far as we could determine, training on issues in paternity adjudication

is absent for hospital personnel. Indeed, it is not considered an item of their concern.

#### Summary

The exploratory interviews with 78 programs and agencies dealing with adolescent parents reveals a basic lack of knowledge about paternity procedures; misinformation on the legal aspects of paternity; ambivalence in dealing with this issue as part of program agency functions.

Factors that discourage paternity adjudication are rooted in the intimidating and coercive nature of the exchanges with AFDC, IV-D and the court system. According to the adolescent mothers seen by the agencies and programs interviewed in this sample, the possibility of teen mothers receiving supportive counseling on paternity issues that center on the benefits to their child are quite accidental.

What would encourage the young mothers these agencies deal with to come to a constructive decision on paternity? The following statement reflects the somewhat uniform comments made to this inquiry: "Be realistic; reduce fears of unreasonable support orders; demystify the legal procedures; give good and accurate information to reduce the unknown; deal with their parents on the issues."



### Data from Survey of Teen Mothers

This questionnaire was designed to identify attitudes toward paternity adjudication and child support enforcement, sources of information and whether or not the focus of the child's rights was maintained as a center of attention.

Respondents for this survey were mothers who had had their children when they were 17 or younger. A total of 64 women returned their interview schedules. Fifteen community agencies serving teen parents participated in identifying respondents for this study. They were asked to provide a representation of cultural, socioeconomic and racial mix. In some instances the questionnaire was administered in the form of an interview, and in others it was self-administered. A high proportion of black and native American respondents emerged in this sample.

Because of the small numbers and the lack of a random sample design, there is statistical uncertainty in this data. Caution must be urged in generalizing the results. However, insights from the data are suggestive and in many ways, they corroborate studies that have been done elsewhere.

### Demographic Profile

Nearly three-quarters of the adolescent mothers came from one-parent households. Almost all black females in the sample came from one-parent households, and 40 percent of these came from families of unmarried parents.

Further, a major portion of the respondents grew up in large households, typically with five or more siblings.

Only 43 percent were attending school. ~~a very high proportion (86 percent)~~  
~~had not completed high school~~

In sum, these were adolescent mothers with a low level of education, reared in large families where the female head was an unmarried parent. The households

were typically low income. Their average age when interviewed was slightly under 18.

Attitudes: What Encourages or Discourages Paternity Adjudication?

Overwhelmingly, respondents stated that their interests in protecting their male partners from long term financial consequences, harassment, costs of medical expenses, prison, and even charges of statutory rape were considerations in not pursuing paternity. Even where the relationship had drifted away, these opinions were expressed. (IV-D personnel report, however, that circumstances often change when the child is two or three years old. At that time, news of the father's financial capability, his marriage to another, the mother's increased financial hardship occasioned by her moving out of her parents' home--all force her to revise her earlier reluctance and move her to initiate paternity proceedings).

A racial difference appeared in response to the question on why fathers would not want to declare paternity. Black and native American mothers stated that the fear of having to pay child support was the dominating influence, whereas white teenage mothers stated that young fathers feared the parenting responsibilities.

Over 80 percent of the respondents felt that it would be desirable to have the father's name on the birth certificate. However, age is an important variable as to whether or not they would actually pursue paternity adjudication.

Younger adolescent parents (14-17) were, by their own admission (corroborated by social service personnel) in transitory and sometimes casual relationships, whereas older teen parents (17-19) had a clearer notion of whether or not the relationship was stable. Those teen mothers who spoke of the transitional nature of their relationships cited the need for autonomy, which would be curbed by paternity adjudication. (In a small series of pre-test interviews with 12 unmarried fathers, the reverse appeared to be the case. Younger males more

readily admitted to paternity and their willingness to proceed with adjudication. Older males showed greater reluctance).

The role of the parents of the adolescents is another key variable. While most teen parents denied the influence of their parents, the IV-D and social service data overwhelmingly report the influence of the grandparents. It is a mixed picture. Teens report a range of responses from parents: some urged an abortion early in the pregnancy; others claim a calm, if not happy, acceptance of the grandchild. Attitudes toward paternity adjudication, according to teen respondents, were mixed. Racial differences were noted: for Indian grandparents, formal adjudication held little interest because the fathers are known and no tangible benefits are perceived for the grandchild that might come from adjudication. Black grandparents presented a mixed picture, as did white grandparents: their perceptions of the father's stability and personal characteristics were important determinants. (Parents of teenage mothers play an influential role in other ways, as well. They try to influence the pregnancy outcome. All black respondents noted that their parents wanted the pregnancy to continue to term. White females presented a mixed picture on this issue. Although the sample of Indian respondents was small, some mothers of very young teenagers expressed reservations about allowing the pregnancy to continue to term.).

#### The Hospital Setting in Decision Making

Respondents reported on a wide variation in how paternity was approached immediately following the birth of the baby. While signing the birth certificate, maybe a pivotal step in the process, these excerpts from four interviews expose the casual nature of the exchange:

"I remember a woman walking in my hospital room a couple days after the birth and just asked me if the spelling of my name and my daughter's was correct."

"They brought in a pamphlet about 'why birth certificates are important.' I read about it, then filled out the birth certificate and left the father's name blank. I took it to the desk."

"A person came into the hospital room and asked me a lot of questions about the father and me (medical stuff, race, age, etc.). Then she had it typed and had me sign. They did not put the father's name on the birth certificate. He decided not to sign the birth certificate,"

"The nurse just handed me the birth certificate to sign, didn't ask about the father, and his name was not on the certificate. By the way, he was standing right there in the room at the time."

#### Knowledge about Paternity Adjudication and Child Support

White females tended to rely on AFDC for their basic source of knowledge, while native American and black females appeared to rely more heavily on informal sources of knowledge through friends, relatives and parents. Minority females appeared to rely on "street knowledge": a pervasive fear, shared by teen mothers and fathers alike, that paternity adjudication will have dangerous consequences for the male partner.

The respondents who had applied for AFDC generally had an accurate understanding of the procedures, although a majority did not know that if they refused to cooperate in locating the father, the grant would be available only for their child. A common misperception was that the entire grant would be denied.

Most recalled correctly the availability of blood testing, and how expenses would be borne for the procedure.

### The Role of AFDC

Generally, respondents reported that an intimidating environment surrounded AFDC eligibility for teen mothers, producing a chilling effect on paternity adjudication issues.

Most often, respondents reported that information on paternity was presented in an adversarial context: the mother's price to pay for receiving public assistance was mandated "cooperation" to locate and name the father. Few could recall discussion with AFDC personnel that focused on the importance of establishing paternity for long term benefits for their minor babies. The following comments from experiences with AFDC illustrate the erratic nature of the encounters.

"When my child was born I applied for AFDC and didn't tell them who the father was...I changed counties and had to apply for AFDC and I didn't want to lie again... After doing this survey I became more aware of paternity so I decided to tell the truth...The first time I applied in \_\_\_\_\_ County, they believed everything I said and didn't ask many questions...The survey about paternity made me do some thinking. When I reapplied for AFDC, I gave the father's name."

"When I filled out the application, I didn't put the father's name. Later the county worker explained why it was important to name the father. So I decided to put his name on it. I filled out AFDC papers when my son was two or three months old. I learned about it (paternity procedures) from my aunt, the AFDC person, county attorney for paternity...I got a lot of information."

"She (the AFDC worker) was real 'snotty.' The AFDC worker was very firm about not letting the father see his daughter, because he didn't admit to being the father. She humiliated me and made me cry. I felt like a slut. I did write his name down on the application. She said if I was still seeing him, I shouldn't see him until he signed the birth certificate...I never really had no choice about deciding to have his name on the birth certificate. It was their (welfare's) idea to go after him for paternity. I did want his name on the birth certificate, but I didn't want to go after him for child support, because I knew it would

create hard feeling. Welfare said they would cut my AFDC grant \$100.00 for every six months that I put off going after him for support...I learned the (paternity) information from AFDC when I applied for AFDC...my daughter was about two weeks old."

"I told the AFDC worker I didn't know who he was (the father). I applied when my son was one week old. The AFDC worker really was accusing. She asked me how many guys I slept with--she made me cry. I felt so guilty I went back three weeks later and confessed to the father's name (by the way, I had a real nice worker the second time). (First contact with paternity information) was when my son was one week old--AFDC workers."

"I named the father right away. She (the AFDC worker) was kinda rude."

#### Perceived Benefits of Paternity

Respondents were asked to rate the benefits of paternity they valued most for their child. A list was prepared, with an explanatory set of statements, as follows:

##### Social Security benefits:

When paternity has been legally established and the father has been employed and has paid into Social Security, the child is eligible for benefits if the father dies or is disabled. The child will receive a monthly benefit until the age of 18 or until he or she completes high school. This benefit is based on the father's previous earnings.

##### Benefits from the Military

There are also considerable benefits for the child when the father joins the armed services. If paternity is established but the mother and father are not married, the father may draw an extra allowance for the purpose of providing a

household for his dependents. This may range from \$220-\$342 a month for enlisted men in non-commissioned ranks. In addition, the child is eligible for medical care and P.X. and commissary privileges (if married, the father can draw an extra allowance and medical care and P.X. privileges are granted to the entire family). If the father is a veteran and has a service-connected disability that is 100 percent and permanent, the child is eligible for an educational benefit. This is now \$342 a month for a full-time student.

#### Health Insurance

Health care coverage may be available to the child through the adjudicated father's health care plan associated with his work.

#### Psychological Benefits

Psychological benefits of security and attachment may be derived from acknowledged paternity.

#### Genetic History

Tangible advantages may also come from having access to paternal genetic history.

#### The Findings

Overall, Social Security and the psychological security derived from the father's legal identification were regarded as the most highly valued benefits. (For the small group of male parents in a pre-test, health benefits and armed services benefits were regarded as most important).

#### Father's Role After Birth of Baby

Fifty-nine percent of the females indicated that they still see the father (76 percent for blacks, 41 percent for whites, 50 percent for native Americans).

Few actually live with the father.

Black and native American mothers were more likely to see the fathers on a daily basis than whites (27 percent vs. 25 percent vs. 12 percent).

Generally, the respondents indicated that they saw the father at least occasionally.

Thirty-two percent of the mothers indicated that the fathers helped care for the child. However, there were racial differences. This figure was 41 percent for whites, 35 percent for blacks, and zero percent for native Americans.

From the data at hand, it does appear that the father generally stays in the picture, but only as an occasional figure.

Tangible help in the form of money and assistance in child care varied widely. Less than one-third reported receiving tangible assistance from the father. Most in this group reported that money was received irregularly for such needs as food, clothing for the baby, and babysitting. Only 18 percent received some money on a somewhat regular basis.

In summary, the relationships to the father were varied, but on the whole they appeared to dwindle after the arrival of the baby. Tangible assistance was meager and sporadic and consisted chiefly of small amounts of money for food, baby clothing and babysitting.

The perceived adversarial context of the AFDC encounters, the acquired "street knowledge" that paternity adjudication is dangerous to the father, and the influence of parents of the teen mother contribute to a discouraging attitude toward paternity.



The benefits to the child were not systematically presented to the mother as a focal point for decision making.

The routes that are taken by teen parents to decide on "legitimizing" their infants are determined by an interactive set of signals: their age, relationship, and influence of family and friends.

One could not help but be impressed by how many knew of strategies that could be used in order to avoid a paternity adjudication.

The issues of paternity and child support enforcement for teen parents are enmeshed, as far as they are concerned, in a system that is capricious, arbitrary, and punitive. Whether or not they receive information in a counseling environment is accidental. The general strategy they invoke, therefore, is one of avoidance.

#### Data from Survey of Black Adolescent Fathers

This section is chiefly comprised of excerpts from a study completed by Dr. Stanley Battle, which is presented in its entirety in the Appendix.

#### The Study

In order to gain some insights into the perceptions and attitudes of black adolescent fathers on questions of paternity, this study was commissioned by the Project. Despite their disproportionate presence in the statistical data on out-of-wedlock births, little is known about the interaction of black unmarried fathers with paternity issues.

This exploratory study was designed to secure information on the following questions:

1. The fathers' knowledge of paternity adjudication;
2. Factors which are pertinent to how paternity is established legally;
3. Knowledge of how the legal system operates in child support cases;
4. Attitudes toward short and long term associations with the mother and infant;
5. Factors in decision making; and
6. The extent to which teenage fathers contribute financial and social support.

In addition, limited demographic data was collected. Fifty black adolescent fathers were interviewed. Four fathers were interviewed for the pre-test. Responses from the remaining 46 are reported.

Most of the referrals came from agencies and a high school that operate in communities containing a reported 20 percent or higher black residency. A few respondents were recruited from personal referrals known to the interviewer. The average interview lasted approximately one hour, with a maximum of two hours in length.

The study is classified as an exploratory descriptive study, with the purpose of gaining familiarity with a phenomenon in which the knowledge base is limited. The study provides some narrative information which was gathered through face to face personal interviews. Questions were in both structured and unstructured form and were facilitated by the use of an interview schedule (see Appendix). Considering the exploratory nature of this study, the findings must be considered as tentative.

The study did not use a random sample technique. Rather, an attempt was made, through the cooperation of community agencies and a city high school, to

achieve representation of the group through choosing respondents with characteristics of race, sex, age and income that are known to be affected by the issues under discussion. While the results may therefore not be generalizable to the universe of young black unmarried fathers, the findings are, however, clearly available as a base for further investigations. A copy of the questionnaire is in the Appendix.

Background Information: Age, Family Size, Education, and Employment

All of the respondents lived in Minneapolis and Saint Paul, Minnesota. A majority of the respondents were from Saint Paul, but no differences were detected in the responses between the two groups.

The age range at the time of the interviews was 16-21. The median age, at the time of the interviews, was 17.5, with the cluster of age groupings in the 17-18 range (37 percent to 34.8 percent). One-half of the fathers were 17 years of age when their babies were born.

While family size varied, a large portion of the respondents came from large families, headed by single parents (60.9 percent). Half of these young, unmarried fathers lived in families with four or more siblings. More than one-third had families in which there were five children or more. Only 8.7 percent had no siblings.

In terms of their educational background, only 26 percent had completed high school. A few (6.5 percent) were enrolled in vocational-technical school. Almost 25 percent were reported to have difficulty reading or comprehending the interview schedule.

TABLE 4  
Current Employment Status

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
School and Part Time Work	11	23.9	23.9
Part Time Work	7	15.2	40.4
Full Time Work	9	19.6	59.6
Seasonal Work Only	1	2.2	61.7
Unemployed	$\frac{18}{46}$	$\frac{39.1}{100.0}$	100.0

As the above table illustrates, approximately 39 percent of the fathers were unemployed. Only one-fifth of this group of unmarried fathers worked full time. With seasonal and part time work as a dominant pattern of those who had an attachment to the labor force, the income level is strikingly low. Only 15 percent were working at jobs that secured more than \$3,000 per year.

In summary, the 46 respondents, chiefly selected from agencies and a high school serving communities with a significant black population in Saint Paul and Minneapolis, Minnesota, provide a distinctive picture of young, unmarried black fathers. The following profile emerges: ages ranging from 16-21, a high proportion of high school dropouts, and many reared in very large, very low income single parent families. Their fragile labor force attachments show high unemployment and very low incomes.

The competition for the scarce, earned dollar among our respondents was particularly highlighted in the interviews. Many respondents are expected to, and do, in fact, try to contribute to family income to assist in supporting their siblings. Further, some contribute money to their children, from time to time, as we shall see.

The education data indicate the incomplete nature of the school experiences of these young men. Almost 25 percent were reported to have had difficulty in reading and comprehending the questions in the interview schedule.

#### Fathers' Relationships with Mothers and Infants

Approximately 20 percent of the fathers were living with the mother of their child. More than half did not see the mother on a daily basis. Fifteen percent reported that they stopped seeing the mother before the baby was born, and 22 percent stated they did not see the mother after the baby was born. Of those who stayed in touch with the mothers and babies, an overwhelming majority (86 percent) stated that they helped to care for the babies from time to time.

These fathers, as a group, attempted to make a financial contribution to their young families. Eighty percent provided money for food, and a small number contributed toward medical care and clothes. The money amounts ranged from \$5.00 to \$25.00 per month, although this was not a consistent pattern. Twenty-six percent would give money to the mother only when she asked, and about one-third would give money on special occasions only.

In summary, the dominant profile that emerges on these relationships is one of a compassionate and caring group of young fathers seriously interested in the well-being of the mothers and their infants. They contributed small amounts of money, particularly for food, though not on a regular basis. Further, they provided some physical care of their infants, although only a small segment actually lived with the young mothers, and more than half did not see the mother on a regular basis.

But they were aware that in order to make sure that the father is known as the legal parent, he must sign the Declaration of Parentage form (73.9 percent).

The fathers were also uncertain about the level of court involvement concerning the Declaration of Parentage form. This document does not have to be signed in the presence of a judge, but only 26.1 percent of the fathers were aware of this fact.

Most fathers were aware that paternity must be established (65.2 percent) before the county can require the father to provide child support. In addition, a majority of the respondents understood that they could have their names on the birth certificate (67.4 percent) with assistance from the court, even if the mother did not agree. Many of the fathers were confused about legal notification in regard to name changes on the birth certificate. If the child carries the father's name on the birth certificate and the mother wishes to change it, the father must be notified and give his approval. Only 50 percent of the fathers were aware of this fact. Approximately 41.3 percent did not know whether it was true or false.

The respondents were almost evenly divided on the following question: "If the father has not signed legal papers saying he is the father, he still has a right to visit the child." The correct answer was "false": approximately 39.1 percent answered accordingly, while 34.8 percent thought it was true, and 26.1 percent did not know if it was true or false. Clearly, this dilemma could cause some serious problems between the mother and father.

Many of the respondents were unaware they could take an advocate to court (guardian ad litem) if they were under 18 years of age (60.8 percent).

The county does have the responsibility, if there is a "good cause" exception

## Paternity Issues

### Knowledge of Benefits to the Child

A series of questions was formulated to ascertain the extent of knowledge about benefits to the child through paternity adjudication (see Questions 49-50 on the Questionnaire, in the Appendix).

In response to questions on benefits that could accrue to their minor children, most fathers clearly demonstrated that the linkage between legal paternity acknowledgment and benefits was unknown to them. Information on this issue appeared not to have been transmitted in their formal or informal associations. In the course of the interview, fathers were made aware that if paternity is legally established, the child is entitled to inheritance rights (inheritance from the adjudicated father), support payments from the father (if the biological father's name is placed on the birth certificate), social security benefits, and veterans' benefits. As reported, the fathers described which benefits they valued most if paternity were legally established for their children. Benefits through social security (45.75 percent) and health insurance (32.6 percent) were deemed the most significant financial benefits by the fathers. In the final analysis, 47.8 percent of the respondents felt that health insurance was the most important benefit to the child.

### Fathers' Knowledge of Paternity Adjudication

Questions to determine the level of knowledge on paternity procedures drew a mixed set of responses. Some respondents were fairly well informed and seemed to have more than a basic understanding of issues and the law. But there were notable exceptions: for example, fathers were unaware that it was necessary to sign the Declaration of Parentage in the presence of a notary public (56.6 percent).

to naming the father, to grant AFDC benefits to both the mother and the child. Approximately 41.3 percent of the fathers were aware of this stipulation, but 45.7 percent of the fathers did not know if it was true or false.

#### Fathers' Knowledge of Child Support

Issues of child support and responsibility provoke a great deal of frustration and concern. The respondents were aware (80.4 percent) that the name of the father must be legally established before the father is required to support the child financially. A high proportion of the fathers had incorrect information on the consequences of non-cooperation of the mother in identifying the father.

Only 41.3 percent of the fathers were aware that fathers can request the court to reduce their child support payments if they are in economic difficulty. On the other hand, 28.3 percent of the fathers believed the courts would refuse their request, while 30.4 percent did not know if this information was true or false.

Many of the respondents were confused about the extent of their responsibility if they were to leave the State of Minnesota. For instance, 28.2 percent of the respondents believed that if they left, they could not be reached by state officials. Nearly 35 percent felt they could be reached by state officials if they left the state, and 37 percent did not know.

The questions on Aid to Families with Dependent Children provided a great deal of confusion and frustration. Fathers generally did not know how their support payments are used, and whether they are added or subtracted from AFDC benefits.



For information on these issues, respondents tended to rely on friends (13.0 percent), girlfriends (10.9 percent), parents (23.9 percent), and 10.9 percent did not identify any source. About 41.3 percent received information from public sources (IV-D offices, AFDC, school social workers, and other formal avenues). Informal retrieval sources of information on paternity tend to be the norm for most respondents.

#### Factors that Discourage Paternity Adjudication

Fathers mentioned that lack of money (26.1 percent) played a major role, together with "irresponsibility" (26.1 percent) and fear (39.1 percent). Almost nine percent did not know why a father would not admit paternity.

Parents of these young fathers played varied roles. One respondent said that

"My parents don't have a lot of control over my decision or behavior concerning my situation. I received considerable acceptance and support from my mother, father, and girl's parents. The community had an influence also, but ultimately I did as all fathers before me accepting a passive role as father of my child. My mom was a happy grandma nevertheless as were my girl's parents."

In most cases (54.3 percent), parents did not play a major role in decision making for the adolescent father. But 54.3 percent of the parents did help their sons financially. An overwhelming majority did not want their sons to sign adoption papers, and 69.6 percent of the parents did not want their sons to marry the mothers of their out-of-wedlock children.

In summary, the lack of information on the linkage between paternity

adjudication and benefits to the child indicates how little attention has been paid to this issue in the community networks. It is difficult to know how to interpret this lack of knowledge. One could speculate that it indicates that there is little hope for potential tangible benefits considering the poor economic status of these fathers. On the other hand, it may be an oversight as part of a general neglect of issues in paternity.

The use of true-false questions has obvious flaws in considering the responses to questions on basic knowledge of procedures in paternity adjudication. However, using the data that was acquired, it is possible to offer the following observations on what is generally acknowledged as an obscure and complex set of legal and administrative rules.

Three items are generally well understood: the signing of a Declaration as part of paternity adjudication; the establishment of paternity as a necessary step in child support enforcement; and the necessity to have both parents' names on the birth certificate for paternity acknowledgment.

"Good cause" exceptions were generally not well understood. Other issues also signified lack of knowledge. Of particular concern is their uncertainty on visitation privileges. Further, their right to an advocate (guardian ad litem) was generally unknown to them. Moreover, they had scant knowledge about the law on child support enforcement and its interstate authorization or about how the courts determined the amount or extent of child support obligations.

Particularly noteworthy is the confusion on how AFDC inter-relates with paternity adjudication. Indeed, the interviews disclosed a general concern with the complexity of AFDC rules and regulations and fears surrounding their role in possibly jeopardizing this essential stream of income for the mother and child.

The court system is intimidating and, in their perspective, treacherous. Generally, they are apprehensive about going to court under any circumstances.

Sources of information were varied, but they chiefly included the informal networks of relatives, friends, and the mother of their child.

The role of parents of these teenagers is inconclusive. While most said parents did not play a major role in their decision making, one notes with interest that parents of young unwed fathers are concerned with their grandchildren: they assisted in some financial way and did not want their sons to sign adoption papers. Almost 70 percent did not want their sons to marry the mothers of their out-of-wedlock grandchildren. Moreover, as noted earlier, personnel in IV-D offices and social service programs overwhelmingly supported the notion that teenagers' parents do play a large role in decision making.

(For recommendations attached to Dr. Battle's study, see his paper, attached in the Appendix).

Anecdotal information from pre-test interviews throws some light on the complexities of the father-child relationship. It is of some interest to note that in two out of three intensive interviews with minority males in a pre-test, the parents of the adolescent father had taken charge of the infant's care. In one case the baby was taken at the age of six months and kept by the teen father's mother, and in another, twins were taken a year after birth (parents were both 16 at the time). This small number is not representative, of course, but once again it reinforced insights from informal discussions with groups of teenage parents: stereotypes should be avoided.

The urban native American fathers, in a pre-test, disclosed that paternity was very important if the baby were male, but less so (indeed, a disinterest) if it were a female child. The gender of the child appears not to be a factor in paternity adjudication if the teen father lives on a reservation. Here it is

generally observed that paternity adjudication is readily, if not eagerly, claimed as part of a "macho" tradition.

CHAPTER IV  
"GOOD CAUSE" EXCEPTIONS

There is little disagreement with the view that absent parents have an obligation to contribute to the support of their children, and that public policy should encourage family responsibility. However, the authors of the original Child Support Enforcement legislation sought to soften the absolute requirement of cooperation in establishing paternity and securing child support as a condition of AFDC eligibility. An "exceptions" clause was inserted to acknowledge circumstances in which the mandatory requirement would not be in "the best interests of the child."

There was a presumption that flexibility was needed to reflect the fact that some relationships are injurious and should not be formed, and, further, that forcing the identity of the father without exception could seriously impair the normative development of the child.

The following circumstances are designated as acceptable reasons for waiving the cooperation requirement<sup>32</sup>: physical and/or emotional harm to the child; physical and/or emotional harm to the parent; rape or incest; adoption plans.

In a recent analysis of nationwide claims under this waiver, wide variations from state to state are revealed. Thirty percent of all claims came from three states: California, Minnesota and Ohio. The threat of physical harm accounted for the largest proportion of valid claims, with adoption plans next in order.<sup>33</sup>

While the applicant is required to supply evidence in claiming a "good cause" exception, there is wide variation on the extent to which state agencies investigate for corroborative evidence.

In other words, there are plentiful opportunities here for discretionary judgments. It has been suggested, anecdotally, that teenage parents exchange information informally on how to present a case for "good cause" exceptions in order to avoid paternity adjudication. We received no substantial evidence on this point. It is open, however, for further investigation.

We have no reliable information on whether or not teen parents are routinely informed of their right to refuse to cooperate in identifying the father.

In the event that a "good cause" claim is refused and the mother still refuses to cooperate, financial assistance will be provided to the child only, in the form of a protective payment. This information, according to our summary data, is not well known to teenage parents.

## CHAPTER V

### A NATIVE AMERICAN PERSPECTIVE

Concern with out-of-wedlock births has been generated throughout the native American community. This study, with limitations of time and resources, was not able to conduct a special study. However, we assembled data from Minnesota Vital Statistics with the assistance of Lois Geer, Associate Scientist, Adolescent Health Program, University of Minnesota.

Informal interviews with small groups and a few respondents in the survey of teen parents would lead us to believe that the issue of paternity is complicated by tribal rules and customs. Further, the relationships that are worked out between Indian tribal courts and county IV-D offices are also complex.

How paternity issues interact with adolescent native American parents requires further study.

As we see by the following tables, there are five counties with a high concentration of native Americans in the population. Comparing these to five counties similar in size but without the high concentration of Indian residents, one sees the striking difference in the number of out-of-wedlock births.

Paternity adjudication, somewhat byzantine in its procedures and ramifications, is even more complicated in the interaction with various tribal groups. Paternity assumes importance for Indian children not only because of their enrollment in the tribe, but also because paternity must be established before they come under the protection of the Indian Child Welfare Act. Moreover, each tribe has its own history, traditions, and rules.

For example, Beltrami County in northern Minnesota is a closed reservation. In this instance, the tribal court on the reservation assumes responsibility for

paternity actions. These are limited to enrolled members of the tribe. Child support enforcement remains with the county. If blood tests are required to establish paternity, the county bears those expenses.

For quite some time Beltrami County did little on paternity. Recently, however, the county has enlarged its staff and is beginning to do more work on paternity adjudication. On this reservation, there appears to be little difficulty in persuading Indian males to admit paternity because of a "macho" image which accompanies fatherhood for some Indian males.

Cass County, also in northern Minnesota, is an open reservation. There has recently been a notable rise in paternity actions here. There has also been a dramatic increase in the number of young mothers (under 16). Male partners are often considerably older, with multiple paternity identities.

Again, there is little problem with admitting paternity on this reservation because of fatherhood as a feature of the "macho male." Few paternity allegations are contested.

Little is known about the practices and policies on family planning, out-of-wedlock births, child support enforcement, etc., on reservations. This is clearly an important but unresearched area.



TABLE 5  
OUT OF WEDLOCK BIRTHS AND PATERNITY ADJUDICATIONS IN  
10 PAIRED MINNESOTA COUNTIES\*  
1982

	1 A-1 Becker	2 Non-A-1 Steele	A -1 Beltrami	Non-A-1 Freeborn	A-1 Cass	Non A-1 Redwood	A-1 Itasca	Non A-1 Carver	A-1 Mahnomen	Non-A-1 Grant
Number of Births	517	547	692	558	319	317	715	674	96	119
Number out of Wedlock	82	35	177	59	74	29	109	44	13	4
% out of Wedlock	15.9	6.4	25.6	10.6	23.2	9.1	15.2	6.5	13.5	3.4
% to Women Aged 17 and Under	3.7	1.6	5.3	2.9	5.3	2.2	2.8	.9	8.3	1.7
% to Women Aged 18 and 19	8.3	7.1	10.3	8.1	10.7	7.6	10.3	5.5	6.3	6.7
Number of Indian Births	76	--	171	--	76	4	95	--	28	2
Number of Adjudi- cations	37	6	70	27	45	11	36	7	19	5
% of Out of Wedlock Births Adjudicated	45	17	39	46	61	38	33	16	146**	125**
Estimated Popula- tion, Women Aged 15-44	6452	7081	8170	7319	3965	3714	9797	9540	1053	1320

★

Becker, Beltrami, Cass, Itasca and Mahnomen are counties with the highest Native American population in the state. The counties selected for comparisons (Steele, Freeborn, Redwood, Carver and Grant) are counties that have similar populations of child-bearing women aged 15-44.

★★

Includes adjudications of births from prior years.

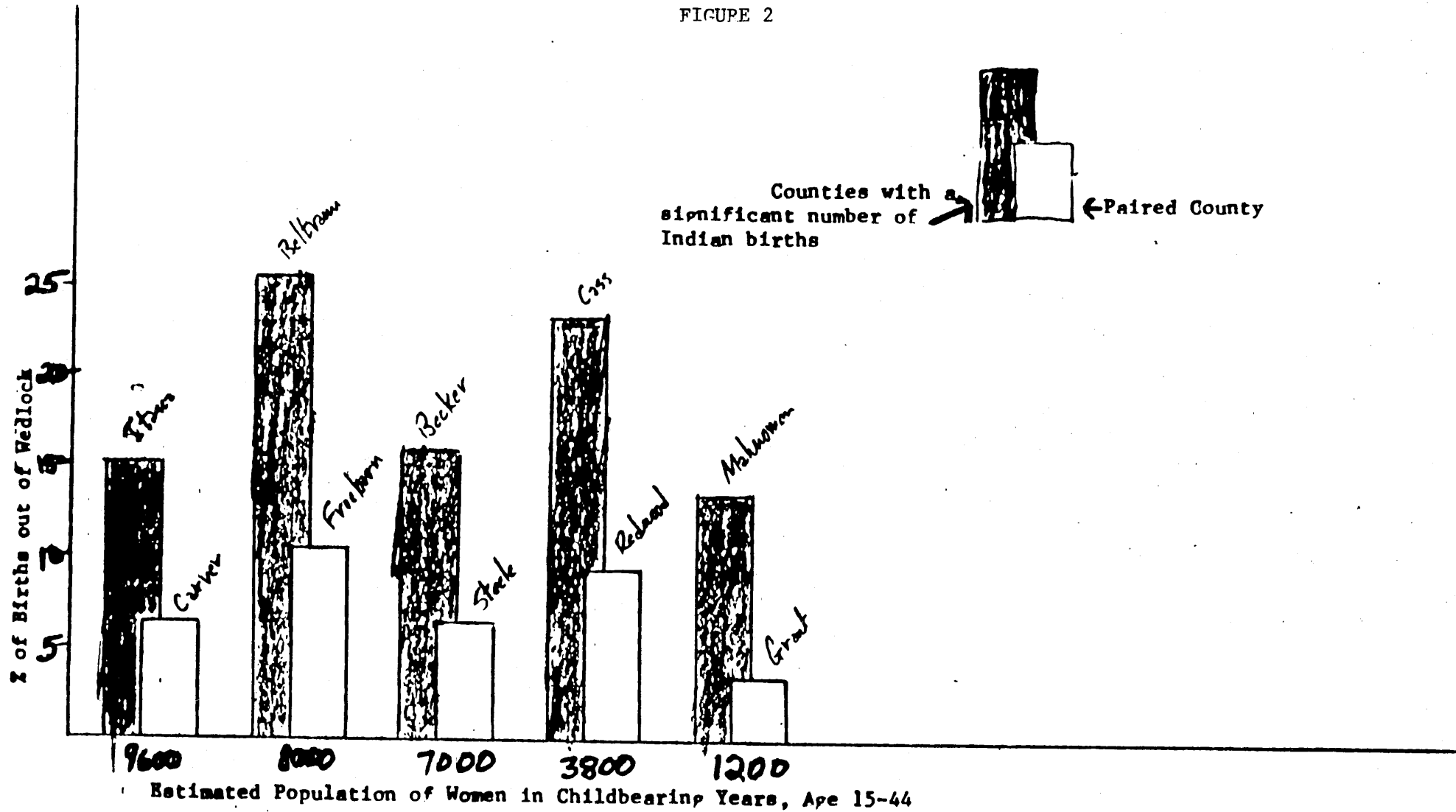
1

High concentration of American Indian Residents.

2

Low concentration of American Indian Residents.

FIGURE 2



PAIRED COUNTY COMPARISON, PERCENTAGE OF BIRTHS OUT OF WEDLOCK, 1982

CHAPTER VI  
CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The Child Support Enforcement Amendments of 1984<sup>34</sup> reinforced the message contained in the original Act of 1975: child support is a responsibility that cannot be shirked. To enforce the once traditional responsibility of the father towards his child, sometimes known as the irrevocable obligation, a thicket of unwieldy procedures has developed. { Indeed, as one deputy district attorney describes it,

"The maze of laws, regulations, agencies and various internal operating procedures duplicate the complexity of tax law."<sup>35</sup>

From the perspective of teen parents, multiple sources of information exist. Decision making is shaped from bits and pieces of rumor and speculation, sometimes from parents and sometimes from peers in a "street knowledge" way. Information may drift across their path from pre-natal programs; school programs; counselors in other community based programs; hospital settings; and, finally, when and if there is an approach to AFDC. For those unmarried mothers who pursue the question of paternity with private attorneys, we assume accurate legal knowledge is transmitted.

The routes that adolescent parents take to decide the issue of "legitimizing" their baby are determined by an interactive set of signals: the state of the relationship between the young parents; their age; the context in which they receive information; the influence of peers, family, agencies, programs, and the accidental nature of these encounters.

From the perspective of policy and program initiatives, one is struck with the complex interplay among AFDC eligibility workers, the IV-D child support enforcement units (typically staffed by the county attorney's office), and social service and health programs serving unmarried parents. In this complex interplay, there are wide discretionary judgments, guided, somewhat loosely, by broad policies.

The striking fact is, however, that in this thicket of responses to adolescent parents, information on what benefits would accrue to the child is not routinely given.

Comprehensive data on the extent of paternity adjudications as a consequence of out-of-wedlock births does not exist. Information on those young parents who apply for AFDC is sent forward through IV-D offices to the federal Office of Child Support Enforcement. However, those young parents who use private attorneys for this purpose generally have this information protected by privacy statutes. The data base is incomplete.

Paternity contests among adolescent parents are few. The availability of genetic testing, which gives high probability to the likelihood of parentage, appears to be one factor in the small incidence of paternity cases that go to trial.<sup>36</sup>

After a careful review of findings from this study, related studies, and a literature review, this paper argues that the rights of children should be protected, uncompromised by parental status. While one cannot be beguiled by easy stereotypes of adolescent unmarried parents or the agencies with which they interact, nevertheless, reviewing the observations culled from well over 200 interviews, we can state fairly that the long term interests of the minor child of minor parents have been neglected. The advantages and benefits of paternity adjudication and child support

have been minimized to the long term disadvantage of a growing generation of children born out of wedlock.

An examination of paternity adjudication and the ways in which it is perceived and responded to leads one to the firm conclusion that, at present, the routes to providing legal protection for the minor infant are haphazard and full of improvised choices.

While the emphasis varies from county to county and between urban and rural settlements, the overwhelming conclusion is that the process of paternity adjudication is chiefly regarded by teen parents as a punitive procedure, fraught with dangerous consequences.

Further, we found no consistency in approaches to the unmarried father. Issues of protecting his rights, knowledge about the procedures involved in paternity and blood testing, the availability of legal services, were not uniformly presented in either face-to-face interviews, by mail, or in telephone contacts. Particularly interesting is that the skilled and trained paternity counselors were not available uniformly throughout the state.

Moreover, social service and health programs that serve unmarried mothers had incomplete and often factually incorrect information about paternity adjudication. Indeed, they appear to be ambivalent about providing this information.

The amount and quality of support to the father throughout the process is insufficient. While one could perceive that he was an "unwilling client," strategies for outreach and support seemed sparse. One wonders whether we have come very far from the 1950s, when unmarried fathers were, in Leontine Young's words, "to be ignored, appeased, or bullied as the occasion required."<sup>37</sup> The tendency to view the father as a casual and throw-away adjunct to the life of a baby born out of wedlock would appear to require a fundamental change in the culture. Until the

community at large has expectations of responsibility from the male parent as well as the female, only partial change can be expected.

### Vexing Dilemmas

Certainly, there are racial and ethnic factors in the outcomes of paternity adjudication and child support enforcement that need special attention. For Indian youngsters, tribal expectations and the wider community expectations may not always coincide. This is an area requiring research.

With the disproportionate number of out-of-wedlock births in the black community, one needs here to be concerned with the capacity of teen fathers and older partners of teen unwed mothers to generate income support that will be expected with legal paternity adjudication.<sup>38</sup>

The special study on young black fathers confirms other reports<sup>39</sup> that these young men typically live in large, female-headed households afflicted with high poverty rates. A high proportion have a caring relationship with mother and child, and their detachment may not always be voluntary. The extent to which fatherhood is disruptive to their lives was not disclosed in our data. However, a glimpse into the situations reported, anecdotally, of their parents becoming the custodians of their children, and circumstances in which they have to share scarce earnings with siblings as well as their children, tells us that their lives do not necessarily proceed with minimum disruption, as is often alleged.

Spelling out consequences for the father, both in caring for the baby and in assuming fiscal responsibilities, must be laid out clearly, explicitly, and with certainty, and yet the sober realities of the economic situation must also be borne in mind. How one balances these out is, indeed, a complex problem.

For some, vigorous paternity adjudication and child support enforcement

is rationalized for its deterrent effect. Deterrence is understood to mean that if the consequences of adolescent parenthood are sufficiently understood, partners of adolescent women will either not engage in sexual activity or will do so only under contraceptive controls. To the extent that the group desists from their sexual behaviors because of fear of the consequences, there is a deterrent effect.

The data here is not clear, however. For example, one notes that in Shelby County and Memphis, Tennessee, which has a vigorous paternity adjudication and child support enforcement system, there has not been a downturn in its very high rates of out-of-wedlock births. From an extensive interview (see Appendix), one learns that 24 hours after the baby is born, a paternity counselor appears. Furthermore, blood testing equipment is available in the court system, and a very high rate of paternity adjudication followed by vigorous child support enforcement is the tradition in Shelby County. Nevertheless, as mentioned previously, no deterrent effects of such procedures can be perceived.<sup>40</sup> However, whether the community has undertaken a comprehensive "consciousness raising" approach, which would include education in these issues in area high schools, is unclear.

The lack of data on private arrangements forces us to the conclusion that we may have a two-class system. Although it appears that non-AFDC families are using, to some extent, the IV-D resources for child support, few apparently have availed themselves of the paternity adjudication services. This leaves us with a strong, and perhaps well-founded, suspicion that the adolescents in affluent social classes receive a different kind of attention from their private attorneys in terms of their rights and strategies for avoidance, whereas lower class fathers are dealt with coercively in pursuit of support payments.

Establishing, therefore, a realistic level of responsibility for both teenage parents, detached from social class considerations, is, indeed, a tricky business.

Good cause exceptions provide some vexing dilemmas, as well. On the whole, it is extremely important to maintain this as a way of noting that some kinds of family connections should not, in fact, be formed. However, there appears to be a tendency to misuse this as a strategy of evasion. Wide discretion on the uses of good cause exceptions are reflected in national reports.<sup>41</sup>

Noting a persistent observation of the teen mother as "gatekeeper" to paternity adjudication, we are faced with the dilemma of balancing competing interests: reinforcing the mother's propensity to safeguard her autonomy in shaping a relationship with the father or asserting, as a primary obligation, securing the basic right of a child to dual parentage. One fully understands the ambivalence of social agencies and community programs. Nevertheless, it is our position that the child's rights to a claim on the personal and economic resources of both parents transcends the immediate gratification of either parent in this matter.

Lastly, we have ~~changing~~ views in the once-hallowed tradition of "giving the child a name." Traditionally, this was considered an important and valuable part of paternity adjudication, since naming the child was customarily thought of as giving the child the father's name. One could rightly ask at this point, with the changing roles of men and women, whether or not this has any intrinsic value. Fading as a value as women themselves resist surrendering their names in a marriage ceremony, the notion of carrying the father's name may have dwindling advantage for the child.

Normative community expectations are in flux on this as well as associated issues reflecting changes in male-female relationships. Nevertheless, these relationships should be subordinated to the primary concern: enhancing the situation for out-of-wedlock children for the 18 years of their minor status.



### Recommendations

To safeguard the interests of the child of adolescent parents, a broad-scaled plan of action will be required. The interests of the child cannot be left to the separate and sometimes contending interests of AFDC, IV-D offices, social programs, the courts, teen parents, or their parents. A comprehensive and integrated campaign is required in which the community itself is party to the effort.

To this end, we have formulated eight recommendations.

1. Review existing statutes and judicial philosophies on paternity adjudication. Examine administrative procedures and legal protections for minor unmarried parents, and bring these into conformity with the standards set by the Uniform Parentage Act. State commissions would be an appropriate vehicle for this effort.<sup>42</sup> These should have broad-based representation from various community perspectives.

2. Prepare accurate information for teen parents (both written and visual) that clearly and consistently describes the benefits that accrue to out-of-wedlock children with paternity adjudication; the legal protections afforded minor fathers and the AFDC and IV-D regulations that affect minor mothers. Accurate information should also be prepared for advocacy groups, programs in schools, clinics, hospitals, and community-based agencies. Legal services or local units of state bar associations are appropriate agencies to provide source material for right to counsel in contested cases; statutory rape issues; the uses of guardian ad litem; the financial obligations in blood tests; medical expenses; and child support.

3. Expand social work knowledge of the issues. Social workers interact extensively in planning for unmarried mothers, and to some extent (although sparsely)

fathers. Therefore, the profession should be required to develop content on issues in paternity adjudication for the minor baby. A syllabus for inclusion of this material could be developed.

4. Institute a counseling environment in AFDC and IV-D offices with uniform materials for teen parents, such as the benefits that accrue to the child from paternity adjudication; legal protections for minor parents; a clear understanding of "good cause" exceptions. The words of a IV-D office in Minnesota capture an approach for the most promising tone for the counseling environment and the materials: "Be realistic; reduce the retaliation and harassment that is part of the fear and anxiety of the financial responsibility, and de-mystify the whole process."

5. Redesign outreach programs to enlist the participation of unmarried parents. The school setting is a focal point for outreach. Easy-to-read monographs on legal rights should be available. A non-threatening counseling environment should be established for both young mothers and young fathers of out-of-wedlock children. Accurate information on the process of paternity adjudication should be addressed by an expert from the community. Specific strategies for reaching the "phantom" father must be addressed.

6. Enter a stipulation of support for every child, even if the amount is nominal. Stipulations for "in-kind" support such as hours of child-caring should also be considered an option. As young men mature into adult earners, the prospect for future payments should be acknowledged.

7. Recognize the independent interests of the child in paternity proceedings.

Actions brought by IV-D offices in paternity proceedings do not, typically, make the infant a party to the action. Although this option is open to all states with the appointment of a guardian ad litem to represent the independent rights of the child, there is little evidence that states use the option.<sup>43</sup>

8. Create demonstration programs that have the following elements:

- a. Broad based representation on the advisory groups that oversee the project: AFDC, IV-D, the court system, as well as the community programs and institutional programs that interact with adolescent parents. Of particular interest is representation from Legal Services which interacts with low income constituencies.
- b. A common understanding among all the advisory participants that materials developed will be distributed widely through their networks (good materials exist in scattered sites; they need to be presented as models that might need modification for each state).
- c. Support for a media campaign that alerts the community to the issues in paternity adjudication and child support enforcement for adolescent parents.
- d. In those states which have not passed the Uniform Parentage Act, this should be a focus of attention.
- e. Each proposed program should demonstrate that it has formed a linkage with all of the relevant agencies that deal with adolescent parents.

- f. Evaluation of programs should include a measure of broadening support for paternity adjudications.

\*

\*

\*

\*

## NOTES AND BIBLIOGRAPHY

### Notes

1. Harry D. Krause, Family Law in a Nutshell (St. Paul, MN: West Publishing Co., 1977).
2. Ibid.
3. Harry D. Krause, "The Uniform Parentage Act," in Sanford N. Katz (editor), The Youngest Minority: Lawyers in Defense of Children (A.B.A. Press: 1974).
4. See 406 U.S. at 175-76, 92 S.Ct. at 1406-07.
5. For a discussion of the "muddled field" of equal protection analysis of the Supreme Court rulings, see Earl M. Maltz, "Illegitimacy and Equal Protection," Arizona State Law Journal (1980:831).
6. For an analysis of the wide variations among states, see National Conference of State Legislatures, In the Best Interest of the Child: A Guide to State Child Support and Paternity Laws (Denver, CO.: National Conference of State Legislatures; 1981).
7. Amendments to Part D, Title IV, Social Security Act, Section 466(a)(5).
8. Child Support Report 2:4(April 1980). Published by the Federal Office of Child Support Enforcement, Rockville, MD.
9. The Office of Child Support Enforcement is an independent office with the U.S. Department of Health and Human Services. Its director is the Commissioner of Social Security.
10. National Conference of State Legislatures, op. cit.
11. Marguerite Marsh, "Common Attitudes Toward the Unmarried Father," National Conference on Social Work, Grand Rapids, MI: 1940.
12. Ibid.
13. Ibid.
14. Robert L. Barrett and Bryan E. Robinson, Teenage Fathers: Neglected Too Long," Social Work (November 1982) 484-488.
15. Judith Cassetty, "Child Support: New Focus for Social Work Practice," Social Work 27:6(November 1982) 504.

Notes and Bibliography

ii

16. Blanche Bernstein, "Shouldn't Low Income Fathers Support Their Children?" The Public Interest No. 66(Winter 1982) 55-71.
17. Robert Cox, "Reopening of Paternity Determinations," Child Support Report (June 1984) 4-5.
18. Laurene T. McKillop, Benefits of Establishing Paternity (Rockville, MD: National Institute for Child Support Enforcement; 1981).
19. For a review of the status of genetic testing procedures, see Child Support Report 2:4(April 1980); and Robert E. Keith and Herbert F. Polesky, "Requisites for Introduction of Genetic Test Results in Paternity Trials," in American Association of Blood Banks, Probability of Inclusion in Paternity Testing: A Technical Workshop (1982).
20. Alan Guttmacher Institute, 11 Million Teenagers: What Can Be Done About the Epidemic of Adolescent Pregnancies in the United States? (New York: 1976).
21. Adolescent Pregnancy and Childbearing: Rates, Trends, and Research Findings from the CPR, NICHD (April 1984) Table I, p. 5.
22. Ibid.
23. U.S. Department of Commerce, Bureau of the Census, "Marital Status and Living Arrangements: March, 1982," Current Population Reports, Series P-20, No. 380 (Washington, D.C.: U.S. Government Printing Office; 1983).
24. Melvin Zelnik and John Kantner, "Sexual Activity, Contraceptive Use and Pregnancy Among Metropolitan-Area Teenagers: 1971-1979," Family Planning Perspectives 12:5(September/October 1980).
25. Please note that no comprehensive nationwide figures on paternity adjudications exist. The data reported here is derived from state reports to the Office of Child Support Enforcement and reflect paternity adjudications of those applying for AFDC and non-AFDC persons seeking paternity and child support assistance from local offices throughout the country. Since a high proportion of unmarried women with dependent children use the services of IV-D, the data can be considered significant.
26. Information on out-of-wedlock births from National Center for Health Statistics, Monthly Vital Statistics Report, "Advance Report on Final Natality Statistics, 1981," 32:9, Supplement, December 29, 1983. Information on paternity adjudications from Office of Child Support Enforcement, U.S. Department of Health and Human Services, Rockville, MD.
27. National Center for Health Statistics, op. cit.
28. Office of Child Support Enforcement, op. cit.

29. U.S. House of Representatives, Select Committee on Children, Youth and Families, "Testimony of Dr. Harold Richman," Director of Social Policy Research Center, National Opinion Research Center, University of Chicago, in Children, Youth and Families 1983: Year End Report (Washington, D.C.: U.S. Government Printing Office; 1984) 96.
30. Wendy Baldman, Adolescent Pregnancy and Childbearing, updated statement, a publication available through the National Technical Information Service (April 1984) 13.
31. For an account of children in poverty, see testimony of Alice Rivlin and Bruce Chapman in Children, Youth and Families 1983, op. cit.
32. U.S. Code of Federal Regulations, Title 45, Paragraphs 232-40-49; October 3, 1978).
33. U.S. Department of Health and Human Services, Social Security Administration, "AFDC: Good Cause Claims for Refusing to Cooperate in Establishing Paternity or Securing Child Support," Social Security Bulletin 46:5 (May 1983) 7-10.
34. U.S. House of Representatives, House Resolution 4325, The Child Support Enforcement Amendments of 1984--Public Law 98-378).
35. George J. Gliaudys, Jr., "Paternity: A Reluctant Fatherhood," California State Bar Journal (September/October 1978).
36. Robert E. Keith and Herbert F. Polesky, op. cit.
37. Leontine Young, Out of Wedlock: A Study of the Problems of the Unmarried Mother and Her Child (New York: McGraw-Hill Book Company; 1954).
38. In a recently prepared study by the Center for the Study of Social Policy, The "Flip Side" of Black Families Headed by Women: The Economic Status of Black Men (Washington, D.C.: April 1984), data was presented to show that nearly half of the black male population aged 16-64 is either unemployed, out of the labor force, in prisons, or their labor force status cannot be determined with available data. In contrast, only 23 percent of white men aged 16-64 are in a similar situation.
39. Frederick P. Rivara, Patrick J. Sweeney, and Brady F. Henderson, A Case-Comparison Study of Teenage Fathers and Their Non-Father Peers (University of Tennessee Center for Health Sciences, Memphis, TN.).
40. For a study on the deterrent effects of child support enforcement efforts in selected states, see Richard Lempert, "Organizing for Deterrence: Lessons from a Study of Child Support," Law & Society Review 16:4(1981-82) 513-568.

41. U.S. Department of Health and Human Services, Social Security Administration, op. cit.
42. The Child Support Enforcement Amendments of 1984 (op. cit.) require governors to appoint Commissions with broad representation to study and oversee the State Child Support Systems.
43. Robert Cox, op. cit. Illustratively, Minnesota rarely appoints a guardian ad litem to protect the interests of the child. However, recent relitigations of paternity determinations brought on behalf of the child have opened up critical questions. The re-opening of paternity proceedings is based on the recognition that while paternity actions concern several parties (the public, the mother, the father and the child), "...the child is the real party at interest. The child's interests cannot be compromised absent representation by a guardian ad litem..." (Cox). Recognition that the child may have an independent interest is also reflected in the elimination of statutes of limitations now required by the Amendments of 1984 to the Child Support Enforcement Act.

### Bibliography

This section contains references of a general nature, which were used in addition to those listed in the Notes.

- Barrett, Robert L., and Bryan E. Robinson, "Teenage Fathers: A Profile," Personnel and Guidance Journal 60:4(1981).
- Bedger, Jean E., Teenage Pregnancy (Springfield, IL: Charles C. Thomas; 1980).
- Bernstein, Rose, "Unmarried Parents and Their Families," Child Welfare (April 1966) 185-193.
- Cassetty, Judith, The Parental Child Support Obligation (Massachusetts: Lexington Books; 1983).
- Center for Health Services Research, University of Southern California, Project to Determine the Legal and Social Benefits, Rights and Remedies Accruing to Illegitimate Children Upon the Establishment of Paternity (Los Angeles: 1979).
- Chilman, Catherine S., Adolescent Pregnancy and Childbearing: Some Highlights from Research. Unpublished paper delivered to the Professional Symposium of the National Association of Social Workers, 1983.



## Notes and Bibliography

v

- Community Legal Education Program, People's Rights and the Law: All About Child Support (brochure) (Minneapolis: Legal Aid Society of Minneapolis; 1979).
- De La Garza, Sherry, "Court Appointed Counsel for Indigent Paternity Defendants: A Review of Recent Cases and an Alternative," Child Support Report VI:4 (April 1984).
- Dukette, R. and N. Stevenson, "The Legal Rights of Unmarried Fathers: The Impact of Recent Court Decisions," Social Service Review 47:1(1973) 1-14.
- Herzog, Elizabeth, "Some Notes About Unmarried Fathers," Child Welfare (April 1966) 194-197+.
- Hubbard, Michael C., Andrew S. Goldstein, and Denis R. Burger, "Probability of Paternity: What Do the Numbers Mean?" Oregon State Bar Bulletin (June 1980) 12-14.
- Klerman, Lorraine V., Adolescent Pregnancy: The Response of the Social Welfare Field, an address to a session on Adolescent Pregnancy: Incidence and Social Response, at the National Conference on Social Welfare, 1983 (Dr. Klerman is an Associate Professor of Public Health, Florence Heller Graduate School for Advanced Studies in Social Welfare, Brandeis University, Waltham, Mass.).
- Krause, Harry D., "Child Support Enforcement: Legislative Tasks for the Early 1980s," Family Law Quarterly XV:4(Winter 1982) 349-370.
- Lempert, R., "Organizing for Deterrence: Lessons from a Study of Child Support," Law and Society Review 16:4(1982) 513-568.
- Manpower Demonstration Research Corporation, Series of Baseline and Interim Reports on Project Redirection (a study of teenage mothers): 1) Needs and Characteristics of Pregnant and Parenting Teens: The Baseline Report for Project Redirection by Denise F. Polit with Janet R. Kahn, Charles A. Murray, and Kevin W. Smith (May 1982). 2) Project Redirection: Interim Report on Program Implementation by Alvia Branch, et. al (September 1982). 3) Choices and Life Circumstances: An Ethnographic Study of Project Redirection Teens, by Sydelle Brooks Levy with William J. Grinker (June 1983). 4) School, Work and Family Planning: Interim Impacts in Project Redirection by Denise F. Polit, Michael B. Tannen, and Janet R. Kahn (June 1983).
- Marshall, Ray, "Youth Employment/Unemployment/Underemployment: A Continuing Dilemma," The Sixth Annual Gisela Konopka Lecture (St. Paul, MN: Center for Youth Development and Research, University of Minnesota; 1983).
- Moore, Kristen A. and Martha R. Burt, Private Crisis, Public Cost: Policy Perspectives on Teenage Childbearing (Washington, D.C: Urban Institute Press; 1982).
- Morlock, Maud, "Establishment of Paternity," National Conference on Social Work, Grand Rapids, Michigan; May 1940.

National Council on Illegitimacy, Effective Services for Unmarried Parents and Their Children: Innovative Community Approaches (New York: National Council on Illegitimacy; 1968).

Pannor, Reuben, Fred Massarik, Byron Evans, The Unmarried Father: New Approaches for Helping Unmarried Young Parents (New York: Springer Publishing Company; 1971).

Rivera-Casale, Cecilia, Lorraine Klerman, and Roger Manela, Child Support Enforcement Programs: Their Relevance to School-Age Parents (Waltham, Mass: Florence Heller Graduate School, Brandeis University; 1983).

Rousmaniere, Ned (Social Work Graduate Student, University of Minnesota), Unwed Fatherhood and Family Policy (unpublished paper; 1984).

Sander, Joelle, "Teenage Fathers: Issues in Service Delivery," an unpublished paper prepared for the Ford Foundation. Not dated.

Sonenstein, Freya L., Teenage Fathers: Research Directions for the Future (draft) (Washington, D.C.: The Urban Institute; 1984).

Sorenson, A. and M. Maldomal, "Does Child Support Support the Children?" Children and Youth Services Review 4:1-2(1982) 53-66.

"Supreme Court Roundup: Paternity," The New York Times (April 17, 1984) p. 11.

Urban Institute, Teenage Motherhood: Social and Economic Consequences by Kristin A. Moore, Sandra L. Hofferth, Steven B. Caldwell, and Linda J. Waite (Washington, D.C: January 1979).

U.S. Department of Health and Human Services, National Center on Child Abuse and Neglect, Representation for the Abused and Neglected Child: The Guardian Ad Litem and Legal Counsel (Washington, D.C: DHHS Publication No. 80-30272; 1980).

U.S. Department of Health and Human Services, Office of Child Support Enforcement, Child Support Enforcement: 8th Annual Report to Congress for the Period Ending September 30, 1983 (Rockville, MD: National Child Support Enforcement Reference Center; 1983).

U.S. Department of Health and Human Services, Office of Child Support Enforcement, publishes Child Support Report and Abstract of Child Support Techniques monthly. These were consistently helpful as resources. Specifically, see "Memphis Paternity Outreach Project," Abstract of Child Support Techniques 81:4(February 1981); "San Antonio's Paternity Procedures," Abstract of Child Support Techniques 81:23 (August 1981).

Notes and Bibliography  
vii

U.S. Government, Code of Federal Regulations, 42 U.S.C. § 651 et. seq., Title IV-D of the Social Security Act (Washington, D.C.: U.S. Government Printing Office).

Voigt, Carol, Social Work Graduate Student, University of Minnesota, Non-Custodial Fathers: Factors that Affect Their Involvement with Their Children (unpublished paper; June, 1982).

Walker, R.H., "Interpretation of Paternity Test Results," (U.S. Department of Health and Human Services, Office of Child Support Enforcement).

Winger, Ruth (Social Work Doctoral Student, University of Minnesota), Project on Paternity Adjudication and Child Support Obligations of Teenage Parents: A Review of the Literature (unpublished paper; 1984).

## APPENDICES

PROJECT ON PATERNITY ADJUDICATION AND  
CHILD SUPPORT OBLIGATIONS OF  
TEENAGE PARENTS

Funded by the Ford Foundation and  
the McKnight Foundation

QUESTIONNAIRE FOR COUNTY IV-D OFFICES

1. Are teenage fathers routinely contacted in out-of-wedlock births to determine whether or not they will admit paternity?

If so, what issues are discussed with the teenage father, on first contact?

Who is the primary person who will discuss these issues?

IV-D Staff Member \_\_\_\_\_

County Social Services Worker \_\_\_\_\_

County Attorney or someone from his staff \_\_\_\_\_

Is there someone in your office who handles only paternity cases?

Yes \_\_\_\_\_

No \_\_\_\_\_

Comments:

Questionnaire for IV-D Offices

Page 2

2. In your county, is the teenage father in a paternity or child support action likely to be represented by:

a. An appointed attorney and a separate guardian ad litem \_\_\_\_\_

OR

b. An appointed attorney who also doubles as the guardian ad litem \_\_\_\_\_

OR

c. A guardian ad litem, only \_\_\_\_\_

COMMENTS:

Questionnaire for IV-D Offices  
Page 3

3. What are your agency priorities? Indicate "1" for most important, etc.

- a. Securing support enforcement of AFDC clients \_\_\_\_
- b. Paternity adjudication for children of teenage parents \_\_\_\_
- c. Requests for help in paternity adjudication from young adult women \_\_\_\_
- d. Securing support enforcement of non-AFDC clients \_\_\_\_
- e. Securing paternity adjudication for non-AFDC clients \_\_\_\_

COMMENTS:

Questionnaire for IV-D Offices

Page 4

4. There seems to be a trend toward mothers appearing two or three years after the birth of their babies, to request a petition for paternity adjudication. What is happening in your county on this postponement and later request? Circumstances?



Questionnaire for IV-D Offices

Page 5

5. Approximately how many referrals, per year, do you receive from private attorneys to take over paternity adjudication and child support enforcement for non-AFDC clients?

COMMENTS:

Questionnaire for IV-D Offices  
Page 6

6. What are the practices in your county on recovery of costs in paternity adjudication petitions:

- a. County recovers for blood tests only \_\_\_\_
- b. County recovers only for medical or public assistance \_\_\_\_
- c. County recovers for blood tests and items in (b) above \_\_\_\_
- d. County recovers for service fees, attorney fees \_\_\_\_

COMMENTS:

Questionnaire for IV-D Offices  
Page 7

7. Are you aware of any programs in your community for teenage fathers or fathers who are the partners of teenage mothers?

If so, please list:

Questionnaire for IV-D Offices

Page 8

8. How would you improve the paternity adjudication and child support system?

a. Should high school programs deal with these issues?

b. Should paternity counsellors be available for community education?

c. Do you feel the paternity adjudication process should be handled separately by social services?

COMMENTS:

Questionnaire for IV-D Offices  
Page 9

9. What are the largest obstacles in dealing with teenage mothers and teenage fathers in paternity adjudication and child support enforcement?

10. Do the parents of teenagers play a role in decisions?

COMMENTS:

BACKGROUND INFORMATION:

1. How many IV-D cases do you currently have on your caseloads?

Proportion of AFDC cases \_\_\_\_\_

Proportion of non-AFDC cases \_\_\_\_\_

2. What is the total number of current unadjudicated paternity cases?

3. How many admit to paternity?

How many cases of paternity adjudication have gone to trial in the past  
year?

4. How large is your staff?

5. What percentage of time among your staff is spent on paternity adjudication?

NOTE: ALSO USED FOR HOSPITALS AND HOSPITAL-BASED PROGRAMS

QUESTIONNAIRE FOR SOCIAL AGENCIES AND  
SOCIAL PROGRAMS DEALING WITH TEENAGE PARENTS

I. Introduction

You may be aware that Congress, in 1975, established the Child Support Program, an amendment to the Social Security Act known as Title IV-D. This federal law, establishing enforcement of child support obligations of absent parents, is based on the premise that children have a basic right to be supported by both parents. Title IV-D mandates that all states shall establish a child support enforcement system.

Establishing paternity for children born out of wedlock is a component of the Child Support Program.

The extent to which issues of paternity adjudication and child support enforcement are addressed in programs for teenage parents is not well known.

Your responses to this questionnaire could help us define the problems that programs such as yours might have in addressing these issues.

We appreciate your cooperation in this important study.

II. Description of Your Program

A. Name of Program:

B. Address:

City:

County:

C. Purpose of Program:

D. Program Activities:

E. Population Served:

Teenage Mothers

Teenage Fathers

Both



Social Agencies Questionnaire  
Page 2

III. Information on Interviewee

- A. How long have you worked in this program?
- B. What degree do you hold?
- C. If you have attained a graduate degree, in what field did you get that degree?

Questionnaire for Social Agencies  
Page 3

IV.

- A. What do you hear about paternity adjudication?
- B. What is the source of your information about paternity adjudication?
- C. What do you hear about child support enforcement?
- D. What is the source of your information about child support enforcement?

The following questions are for programs that work with teenage fathers.. If this program does not, please skip to the following page.

- E. If your program works with teenage fathers, is the concept of paternity adjudication introduced? If no, why wouldn't this be discussed?
- F. Is the concept of child support enforcement introduced? If no, why wouldn't child support enforcement be discussed?

V. Teenage Fathers' Knowledge of Paternity Adjudication

- A. Do the teenage fathers that you know about readily admit to paternity?  
Yes: Often or Rarely?                      No                      Don't Know
- B. Of those teenage fathers who do not sign the "Declaration of Parentage", do you have any information on why they are reluctant to do so?
- C. What do you think might prevent fathers from signing an infant's birth certificate, which provides information establishing an infant's paternity?
- D. What might prevent a father from admitting paternity when an application for AFDC is initiated?
- E. If you were to make some suggestions to encourage fathers to admit paternity, what would these be?
- F. Certain benefits accrue to an infant with a legally established father. Can you specify these?
- G. Children whose paternity has been adjudicated may benefit from:  
Social Security benefits  
Military benefits  
Health/Insurance benefits  
General security resulting from a child's knowledge of his or her paternity.

Questionnaire for Social Agencies  
Page 5

- H. Which of these benefits would seem to be the most important to the child of teenage parents?
- I. Can you think of any other benefits, or of any disadvantages, that would result from a child's legally established knowledge of his/her father's name?
- J. In working with teenage mothers, do you feel that her parents play a role in any decisions about her relationship to the father of the baby?
- K. Do the parents of the teenage mother have an influence on decisions affecting the future of the baby?
- L. In working with teenage fathers, do his parents play a role in his relationship to the mother of the baby?
- M. Do the parents of the teenage father have an influence on decisions affecting the future of the baby?
- N. Are the attitudes of the teen fathers' parents an influence on the teen mother and her decisions about the baby?

VI. Program Directions and Paternity Adjudication

Paternity acknowledgement is a necessary condition of pursuing child support enforcement. Basic information about this issue is generally assumed to be meager. Responses to the following questions will enable us to identify issues to be addressed. These questions should be answered to the best of your knowledge; if you don't know, please tell us that, too.

- A. If the mother of the infant applies for AFDC, she is required to cooperate in establishing paternity.

True  
False  
Don't know

- B. If she is certain of the identity of her child's father, she will be required to sign a petition under oath.

True  
False  
Don't know

- C. If the individual named denies he is the father, a blood test will be required of him, the mother, and the infant.

True  
False  
Don't know

- D. If the individual named denies he is the father, the mother will be required to testify against him, in court.

True  
False  
Don't know

- E. The identified father of the infant may have several ways to respond if he denies paternity:

1. He may refuse and go to court to prove his non-paternity.

True  
False  
Don't know

2. He may ask for a blood test.

True  
False  
Don't know

3. He may choose to do nothing until he is of age.

True  
False  
Don't know

- F. If the identified father is ordered to take a blood test to declare his non-paternity, he may refuse.
- True  
False  
Don't know
- G. The charges for the blood test may range from \$150 to \$600. These costs will be paid by the county.
- True  
False  
Don't know
- H. A blood test can indicate with a high degree of certainty the identity of the father.
- True  
False  
Don't know
- I. Under the following circumstances, paternity adjudication may not be pursued:
1. If the alleged father cannot be located.
  2. If the father died and did not acknowledge the child.
  3. If the father cannot be identified or is unknown.
  4. If there is too little information available.
- In addition, a "good cause exception" may be invoked if the teenage mother claims the baby is the result of rape, incest, or a relationship with an abusive and violent father.
- True  
False  
Don't know
- J. In Minnesota, a case of paternity adjudication may be re-opened at any time.
- True  
False  
Don't know
- K. If the mother refuses to cooperate, she may be denied AFDC for her child.
- True  
False  
Don't know

Questionnaire for Social Agencies  
Page 8

VII.

- A. Some observers note that programs, typically, spend little time working with fathers. We would be interested in your perspective on this question. Should more time be spent? If not, why not?
  
  
  
  
  
  
  
  
  
  
- B. Please share your ideas on what prevents fathers from participating in programs for teenage parents. What would encourage them?

Questionnaire for Social Agencies  
Page 9

VIII. If your program has worked with fathers, what has the experience been?  
Positive experiences?

Negative experiences?



Questionnaire for Social Agencies  
Page 10

IX. We have talked about a number of different aspects of these complex issues. What are some topics that would be of some particular interest to you?

A QUESTIONNAIRE FOR SCHOOL SOCIAL WORKERS  
ABOUT TEENAGE PARENTS

The 1975 Amendment to the Social Security Act, Title IV-D, addresses paternity adjudication and child support enforcement. The Ford Foundation, in cooperation with the McKnight Foundation, is supporting a project to explore the issues surrounding these two concepts as they affect teenage parents. Your responses will help us define the "state of the art" of those who are working with teenage parents. We appreciate your cooperation. We regard your responses as confidential. You may sign your name if you wish to receive a final report. All the data will be aggregated with no specific identification of the location or source of information.

If you do not work directly with teenage parents, please return this with a note as to who has a teenage program in your community. A post-paid, addressed envelope is enclosed for your convenience. Thank you.

1. In your experience, do teenage mothers name the father of their children?  
If not, why not? Comment:
  
2. In your experience, why would a male partner of a teenage mother acknowledge or not acknowledge paternity? Comment:

PLEASE ANSWER THE FOLLOWING QUESTIONS WITH TRUE, FALSE, DON'T KNOW, OR A COMMENT.

INFORMATION ON PATERNITY ACKNOWLEDGEMENT

1. If the teenage mother applies for AFDC, she must cooperate in establishing paternity.    T    F    Don't Know
2. If the individual named denies paternity and the mother brings an action, she must testify against him in court.    T    F    Don't Know
3. If the alleged father is ordered to take a blood test, he may refuse.  
   T    F    Don't Know
4. In Minnesota, a case of paternity adjudication may be re-opened at any time.  
   T    F    Don't Know
5. If the mother refuses to cooperate, she may be denied AFDC for her child.  
   T    F    Don't Know
6. A teenage mother may claim a "good cause exception" if the pregnancy is a result of rape, incest, or an abusive relationship.    T    F    Don't Know

OVER

Questionnaire for School Social Workers

Page 2

7. In your judgement, what are the benefits to the child whose paternity has been legally established?
8. What do you hear about child support enforcement, and where do you get your information?
9. What do you hear about paternity adjudication, and where do you get your information?

ABOUT YOUR PROGRAM

County:

How long have you been a school social worker?

Degree held:

Population Served:

Teen Mothers \_\_\_\_\_

Teen Fathers \_\_\_\_\_

Both \_\_\_\_\_

If you work with a specific program for teenage parents, location of the program:

On School Grounds \_\_\_\_\_

In the Community \_\_\_\_\_

Other:

Comments:

REV. 5/22/84  
5/30/84

PROJECT ON PATERNITY ADJUDICATION  
AND CHILD SUPPORT OBLIGATIONS  
OF TEENAGE PARENTS

QUESTIONNAIRE FOR TEENAGE PARENTS

(MOTHERS)

Introduction

You may be aware that Congress, in 1975, passed the Child Support Program, an amendment to the Social Security Act known as Title IV-D. This federal law enforces child support payments by absent parents. It is based on the idea that children have a basic right to be supported by both mothers and fathers. Title IV-D requires that all states have child support enforcement systems.

Establishing paternity for children born out of wedlock is a part of the Child Support Program and addresses the rights of a father in relation to his child.

There may be reasons for encouraging or discouraging the father's legal recognition of a baby born to unwed parents.

We hope you will help us gather information by answering this questionnaire.

Your responses will be confidential. We will not need your name or use your name in any way.

Information that is collected will help us make recommendations on how to improve or change the system of Paternity Adjudication and Child Support Enforcement.

Response-Variable

Question

\_\_\_\_ V-1. FIRST, please give us your age and tell us if you are the mother or the father of a child. .1

Age \_\_\_\_

\_\_\_\_ V-2. 1. Mother \_\_\_\_  
2. Father \_\_\_\_

2

Questionnaire for Teenage Parents  
Page 2

I. Teenage Parents' Knowledge of Paternity Adjudication

These are questions on how much is known about the laws that establish paternity adjudication. This is the way a father can claim his legal right to his child.

We are also trying to find out why some fathers sign papers such as the "Declaration of Parentage" or an "Affidavit of Paternity" and others do not.

\_\_\_\_ V-3. In your opinion, do you think the father's name should be on the baby's birth certificate? 3

1. If yes (\_\_\_\_), why?

2. If no (\_\_\_\_), why not?

\_\_\_\_ V-4. How do your friends feel about this? 4

Questionnaire for Teenage Parents  
Page 3

Part I, Knowledge of Paternity Adjudication, continued

\_\_\_\_\_ V-5. Why would the partner of a teen mother not admit to being the father of his child? 5

\_\_\_\_\_ V-6. In some cases a young man admits to being the father of his child, but chooses not to sign the "Declaration of Parentage," which legally puts his name on the birth certificate. 6  
Can you tell us why this might happen?

\_\_\_\_\_ V-7. Where did you get your information on matters of paternity and child support enforcement? 7

Questionnaire for Teenage Parents  
Page 4

Part I, continued

- \_\_\_\_\_ V-8. In your situation, did your parents influence your decision to put the name of both parents on the child's birth certificate? 8  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-9 Did your parents help you economically? 9  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-10. Did your parents want you to keep the baby? 10  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-11. Did your parents want you to marry? 11  
1. Yes ( ) 2. No ( )

Comments:

Questionnaire For Teenage Parents

Page 5

II. These are questions to find out how much is known about the way in which paternity is legally established. The questions are to be answered "true", "false", or "don't know".

- \_\_\_\_\_ V-12. To make sure that the father is known as the legal parent he, along with the mother of the baby, must sign a form known as the Declaration of Parentage. 12
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-13. The Declaration of Parentage must be signed in front of a notary public who puts his/her legal stamp on the document. 13
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-14. In Minnesota, this legal form, the "Declaration of Parentage," must be approved by a judge in court. 14
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-15. Paternity must be established before the county can ask the father to give money to support his child. 15
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-16. Certain financial benefits, such as Social Security, may go to children whose fathers have legally established paternity. 16
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-17. If a father wishes to have his name on the child's birth certificate against the mother's wishes, he can ask the court to help him. 17
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-18. If the child carries the father's name on legal papers and the mother wishes to change this, the father must be notified and give his approval. 18
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-19. If the father has not signed legal papers saying he is the father, he still has a right to visit the child. 19
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-20. When a young man says he is not the father of a child, the mother can get help from the court to prove that he is the child's father. 20
1. True 2. False 3. Don't Know



Questionnaire for Teenage Parents

Page 6

Part II, continued

V-21. A young man who has been identified as the father, but knows this to be false, can ask for a blood test to prove that he is not the father of the child. These expenses will be paid by the county if the mother is applying for AFDC. 21

1. True 2. False 3. Don't Know

V-22. In Minnesota, when a blood test proves paternity and the father has no money, the county will pay the cost and bill the father when he has income. 22

1. True 2. False 3. Don't Know

V-23. If he has to go to court and he is under 18, a young man has a right to a guardian ad litem, also known as a personal advocate. 23

1. True 2. False 3. Don't Know

III. Teenage Parent's Knowledge of what the law requires to help collect child support.

Information about child support enforcement is not always well known. These questions are to help us find out if you and other teenage parents have all the information you need. These questions can be answered true, false, or don't know.

V-24. The name of the father must be legally established before the father can be made to support the child with money. 24

1. True 2. False 3. Don't Know

V-25. If the mother refuses to name the father of the child, she will get AFDC for her child. 25

1. True 2. False 3. Don't Know

V-26. If the mother refuses to name the father of the child, she will not get AFDC for herself. 26

1. True 2. False 3. Don't Know

V-27. When the county agrees that there is a "good cause" exception to naming the father, a mother will get AFDC for herself and her child. 27

1. True 2. False 3. Don't Know

V-28. The amount of child support the father will be asked to pay will depend on how much money he makes. 28

1. True 2. False 3. Don't Know

V-29. If a father has no money, he may ask the court to reduce his child support payment or wipe it out completely. 29

1. True 2. False 3. Don't Know

Part III, continued

- \_\_\_\_ V-30. If the father is in school, no child support is enforced until he is 30  
earning some money.  
1. True 2. False 3. Don't Know
- \_\_\_\_ V-31. If the father is out of school and unemployed, the court may order him 31  
to show that he is looking for work.  
1. True 2. False 3. Don't Know
- \_\_\_\_ V-32. If the father goes to another state, the people in the State of 32  
Minnesota cannot reach him there.  
1. True 2. False 3. Don't Know
- \_\_\_\_ V-33. Support payments made by fathers for their children do not get added 33  
to the AFDC check.  
True False Don't Know
- \_\_\_\_ V-34. The child support payments made by fathers go to the county to help 34  
pay for the AFDC Grant.  
1. True 2. False 3. Don't Know

IV. Teenage Father's Relationship with the Mother of the Baby

- \_\_\_\_ V-35. Does he have any contact with you? 35  
1. Yes 2. No
- \_\_\_\_ V-36. Stopped seeing you before birth of baby. 36  
1. Yes 2. No
- \_\_\_\_ V-37. Stopped seeing you after birth of baby. 37  
1. Yes 2. No
- \_\_\_\_ V-38. Continues to see you. 38  
1. Yes
- \_\_\_\_ V-39. Living together. 39  
1. Yes 2. No
- \_\_\_\_ V-40. Visits daily. 40  
1. Yes 2. No
- \_\_\_\_ V-41. Sees you occasionally. 41  
1. Yes 2. No

V. Teenage Father's Relationship with the Baby

- \_\_\_\_ V-42. Lives with the mother and child. 42  
1. Yes 2. No
- \_\_\_\_ V-43. Sees the baby daily. 43  
1. Yes 2. No
- \_\_\_\_ V-44. Helps care for the baby. 44  
1. Yes 2. No
- \_\_\_\_ V-45. Visits occasionally 45  
1. Yes 2. No
- \_\_\_\_ V-46. Never visits. 46  
1. Yes 2. No
- \_\_\_\_ V-47. Has he ever seen the baby? 47  
1. Yes 2. No
- \_\_\_\_ V-48. Does he know where the baby is? 48  
1. Yes 2. No
- \_\_\_\_ V-49. The following financial benefits go to the children whose fathers' 49  
identity and paternity have been legally established.  
1. Social Security  
2. Military benefits, such as children's allowances added to  
military pay and health care.  
3. Health and life insurance policy benefits; many places of  
work automatically insure their employees. This usually  
covers children.  
4. In addition, there is the security of knowing who the father  
of the child is for psychological health and adoption purposes.
- \_\_\_\_ V-50. Which of these do you feel is the most important to the child? 50  
(1) (2) (3) (4) (5) Don't Know

Which of the following items listed below does the father contribute to the baby?

- V-51. Provides Financial assistance 51
1. Yes 2. No
- V-52. Gives money for (check as many as apply to your situation): 52
1. Food \_\_\_\_\_
2. Clothes \_\_\_\_\_
3. Medical Care \_\_\_\_\_
4. Babysitting \_\_\_\_\_
5. Rent \_\_\_\_\_
6. Other: \_\_\_\_\_
- V-53. Does the father give money on a regular basis? 53
1. Yes 2. No
- V-54. Does the father give money only when asked? 54
1. Yes 2. No
- V-55. Does the father only give money on special occasions, such as 55
- birthdays and holidays?
1. Yes 2. No

The information we collect in this section is to help us find out if we can make any generalizations about teenage parents and their knowledge of paternity adjudication and child support obligations. This information will not be used to tell us about you individually, but will be put together with similar information from others.

- V-56. Sex \_\_\_\_\_ 56  
V-57. Race \_\_\_\_\_ 57  
V-58. Age of father when baby was born: 1) \_\_\_\_\_ 2) Don't Know 58  
V-59. Age of mother when baby was born: 1) \_\_\_\_\_ 2) Don't Know 59
- V-60. Structure of family where you grew up: 60
1. One-parent families:  
Widowed \_\_\_\_\_ Unwed \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_
2. Two-parent families:  
First Marriage \_\_\_\_\_ Second Marriage \_\_\_\_\_
3. Adoptive parents \_\_\_\_\_
4. Foster parents \_\_\_\_\_
5. Live with grandparents \_\_\_\_\_

Part VII, continued

Family Size

- \_\_\_\_ V-61. Brothers and sisters: 1\_\_\_\_ 2\_\_\_\_ 3\_\_\_\_ 4\_\_\_\_ 5 More\_\_\_\_ 6. None \_\_\_\_ 61
- \_\_\_\_ V-62. Stepbrothers/stepsisters: 1\_\_\_\_ 2\_\_\_\_ 3\_\_\_\_ 4\_\_\_\_ 5 More \_\_\_\_ 6 None \_\_\_\_ 62
- \_\_\_\_ V-63. Where did your family live when you were "growing up"? 63
1. Large City\_\_\_\_ 2. Small town\_\_\_\_
3. Rural \_\_\_\_ 4. Other \_\_\_\_
- \_\_\_\_ V-64. What is the highest level of school you've completed? 64
1. 1 - 6 \_\_\_\_
2. 7 - 9 \_\_\_\_
3. 10 - 12 \_\_\_\_
4. Completed high school \_\_\_\_
5. Other: \_\_\_\_
- \_\_\_\_ V-65. If you have gone to school after finishing high school, check the 65
- appropriate category:
1. Vocational/technical school \_\_\_\_
2. College \_\_\_\_
3. Other: \_\_\_\_
- \_\_\_\_ V-66. Are you in school now? 66
1. Yes \_\_\_\_ 2. No \_\_\_\_
- \_\_\_\_ V-67. Current Employment Status 67
1. School and part-time work \_\_\_\_
2. Part-time work \_\_\_\_
3. Full time work \_\_\_\_
4. Seasonal work only \_\_\_\_
5. Unemployed \_\_\_\_
- \_\_\_\_ V-68. If you have worked in the past year, about how much money have you 68
- made?
1. \$0 - \$500
2. \$500 - \$1000 \_\_\_\_
3. \$1,000 - \$3,000 \_\_\_\_
4. Over \$3,000 \_\_\_\_
- \_\_\_\_ V-69. If you are working now, what is your hourly wage? 69
1. Known \_\_\_\_ 2. Unknown \_\_\_\_

Thank you for helping us gather this information. Your answers will be important as we plan to improve services.

REV. 5/22/84  
5/30/84

PROJECT ON PATERNITY ADJUDICATION  
AND CHILD SUPPORT OBLIGATIONS  
OF TEENAGE PARENTS

QUESTIONNAIRE FOR TEENAGE PARENTS  
(FATHERS)

Introduction

You may be aware that Congress, in 1975, passed the Child Support Program, an amendment to the Social Security Act known as Title IV-D. This federal law enforces child support payments by absent parents. It is based on the idea that children have a basic right to be supported by both mothers and fathers. Title IV-D requires that all states have child support enforcement systems.

Establishing paternity for children born out of wedlock is a part of the Child Support Program and addresses the rights of a father in relation to his child.

There may be reasons for encouraging or discouraging the father's legal recognition of a baby born to unwed parents.

We hope you will help us gather information by answering this questionnaire.

Your responses will be confidential. We will not need your name or use your name in any way.

Information that is collected will help us make recommendations on how to improve or change the system of Paternity Adjudication and Child Support Enforcement.

Response-Variable

Question

- |       |   |    |
|-------|---|----|
| _____ | V-1. FIRST, please give us your age and tell us if you are the mother or the father of a child. | .1 |
|       | Age _____   |    |
| _____ | V-2. 1. Mother _____  | 2  |
|       | 2. Father _____   |    |

Questionnaire for Teenage Parents  
Page 2

I. Teenage Parents' Knowledge of Paternity Adjudication

These are questions on how much is known about the laws that establish paternity adjudication. This is the way a father can claim his legal right to his child.

We are also trying to find out why some fathers sign papers such as the "Declaration of Parentage" or an "Affidavit of Paternity" and others do not.

\_\_\_\_ V-3. In your opinion, do you think the father's name should be on the baby's birth certificate? 3

1. If yes (\_\_\_\_), why?

2. If no (\_\_\_\_), why not?

\_\_\_\_ V-4. How do your friends feel about this? 4

Questionnaire for Teenage Parents  
Page 3

Part I, Knowledge of Paternity Adjudication, continued

- \_\_\_\_\_ V-5. Why would the partner of a teen mother not admit to being the father of his child? 5
- \_\_\_\_\_ V-6. In some cases a young man admits to being the father of his child, but chooses not to sign the "Declaration of Parentage," which legally puts his name on the birth certificate. 6  
Can you tell us why this might happen?
- \_\_\_\_\_ V-7. Where did you get your information on matters of paternity and child support enforcement? 7



Questionnaire for Teenage Parents  
Page 4

Part I, continued

- \_\_\_\_\_ V-8. In your situation, did your parents influence your decision to put the 8  
name of both parents on the child's birth certificate?  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-9 Did your parents help you economically? 9  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-10. Did your parents want you to keep the baby? 10  
1. Yes ( ) 2. No ( )
- \_\_\_\_\_ V-11. Did your parents want you to marry? 11  
1. Yes ( ) 2. No ( )

Comments:

Questionnaire For Teenage Parents  
Page 5

II. These are questions to find out how much is known about the way in which paternity is legally established. The questions are to be answered "true", "false", or "don't know".

- \_\_\_\_\_ V-12. To make sure that the father is known as the legal parent he, along with the mother of the baby, must sign a form known as the Declaration of Parentage. 12
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-13. The Declaration of Parentage must be signed in front of a notary public who puts his/her legal stamp on the document. 13
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-14. In Minnesota, this legal form, the "Declaration of Parentage," must be approved by a judge in court. 14
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-15. Paternity must be established before the county can ask the father to give money to support his child. 15
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-16. Certain financial benefits, such as Social Security, may go to children whose fathers have legally established paternity. 16
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-17. If a father wishes to have his name on the child's birth certificate against the mother's wishes, he can ask the court to help him. 17
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-18. If the child carries the father's name on legal papers and the mother wishes to change this, the father must be notified and give his approval. 18
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-19. If the father has not signed legal papers saying he is the father, he still has a right to visit the child. 19
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-20. When a young man says he is not the father of a child, the mother can get help from the court to prove that he is the child's father. 20
1. True 2. False 3. Don't Know

Questionnaire for Teenage Parents

Page 6

Part II, continued

V-21. A young man who has been identified as the father, but knows this to be false, can ask for a blood test to prove that he is not the father of the child. These expenses will be paid by the county if the mother is applying for AFDC. 21

1. True                      2. False                      3. Don't Know

V-22. In Minnesota, when a blood test proves paternity and the father has no money, the county will pay the cost and bill the father when he has income. 22

1. True                      2. False                      3. Don't Know

V-23. If he has to go to court and he is under 18, a young man has a right to a guardian ad litem, also known as a personal advocate. 23

1. True                      2. False                      3. Don't Know

III. Teenage Parent's Knowledge of what the law requires to help collect child support.

Information about child support enforcement is not always well known. These questions are to help us find out if you and other teenage parents have all the information you need. These questions can be answered true, false, or don't know.

V-24. The name of the father must be legally established before the father can be made to support the child with money. 24

1. True                      2. False                      3. Don't Know

V-25. If the mother refuses to name the father of the child, she will get AFDC for her child. 25

1. True                      2. False                      3. Don't Know

V-26. If the mother refuses to name the father of the child, she will not get AFDC for herself. 26

1. True                      2. False                      3. Don't Know

V-27. When the county agrees that there is a "good cause" exception to naming the father, a mother will get AFDC for herself and her child. 27

1. True                      2. False                      3. Don't Know

V-28. The amount of child support the father will be asked to pay will depend on how much money he makes. 28

1. True                      2. False                      3. Don't Know

V-29. If a father has no money, he may ask the court to reduce his child support payment or wipe it out completely. 29

1. True                      2. False                      3. Don't Know

Questionnaire for Teenage Parents  
Page 7

Part III, continued

- \_\_\_\_\_ V-30. If the father is in school, no child support is enforced until he is 30  
earning some money.  
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-31. If the father is out of school and unemployed, the court may order him 31  
to show that he is looking for work.  
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-32. If the father goes to another state, the people in the State of 32  
Minnesota cannot reach him there.  
1. True 2. False 3. Don't Know
- \_\_\_\_\_ V-33. Support payments made by fathers for their children do not get added 33  
to the AFDC check.  
True False Don't Know
- \_\_\_\_\_ V-34. The child support payments made by fathers go to the county to help 34  
pay for the AFDC Grant.  
1. True 2. False 3. Don't Know

IV. Teenage Father's Relationship with the Mother of the Baby

- \_\_\_\_\_ V-35. Do you have any contact with the mother? 35  
1. Yes 2. No
- \_\_\_\_\_ V-36. Stopped seeing her before birth of baby. 36  
1. Yes 2. No
- \_\_\_\_\_ V-37. Stopped seeing her after birth of baby. 37  
1. Yes 2. No
- \_\_\_\_\_ V-38. Continues to see baby's mother. 38  
1. Yes 2. No
- \_\_\_\_\_ V-39. Living together. 39  
1. Yes 2. No
- \_\_\_\_\_ V-40. Visits daily. 40  
1. Yes 2. No
- \_\_\_\_\_ V-41. Sees her occasionally. 41  
1. Yes 2. No

Questionnaire for Teenage Parents

Page 8

V. Teenage Father's Relationship with the Baby

- \_\_\_\_\_ V-42. Lives with the mother and child. 42  
1. Yes 2. No
- \_\_\_\_\_ V-43. Sees the baby daily. 43  
1. Yes 2. No
- \_\_\_\_\_ V-44. Helps care for the baby. 44  
1. Yes 2. No
- \_\_\_\_\_ V-45. Visits occasionally 45  
1. Yes 2. No
- \_\_\_\_\_ V-46. Never visits. 46  
1. Yes 2. No
- \_\_\_\_\_ V-47. Have you ever seen the baby? 47  
1. Yes 2. No
- \_\_\_\_\_ V-48. Do you know where the baby is? 48  
1. Yes 2. No
- \_\_\_\_\_ V-49. The following financial benefits go to the children whose fathers' 49  
identity and paternity have been legally established.  
1. Social Security  
2. Military benefits, such as children's allowances added to  
military pay and health care.  
3. Health and life insurance policy benefits; many places of  
work automatically insure their employees. This usually  
covers children.  
4. In addition, there is the security of knowing who the father  
of the child is for psychological health and adoption purposes.
- \_\_\_\_\_ V-50. Which of these do you feel is the most important to the child? 50  
(1) (2) (3) (4) (5) Don't Know

Part VII, continued

Family Size

\_\_\_\_ V-61. Brothers and sisters: 1\_\_\_\_ 2\_\_\_\_ 3\_\_\_\_ 4\_\_\_\_ 5 More\_\_\_\_ 6. None \_\_\_\_ 61

\_\_\_\_ V-62. Stepbrothers/stepsisters: 1\_\_\_\_ 2\_\_\_\_ 3\_\_\_\_ 4\_\_\_\_ 5 More \_\_\_\_ 6 None \_\_\_\_ 62

\_\_\_\_ V-63. Where did your family live when you were "growing up"? 63

1. Large City\_\_\_\_ 2. Small town\_\_\_\_

3. Rural \_\_\_\_ 4. Other \_\_\_\_

\_\_\_\_ V-64. What is the highest level of school you've completed? 64

1. 1 - 6 \_\_\_\_

2. 7 - 9 \_\_\_\_

3. 10 - 12 \_\_\_\_

4. Completed high school \_\_\_\_

5. Other: \_\_\_\_

\_\_\_\_ V-65. If you have gone to school after finishing high school, check the appropriate category: 65

1. Vocational/technical school \_\_\_\_

2. College \_\_\_\_

3. Other: \_\_\_\_

\_\_\_\_ V-66. Are you in school now? 66

1. Yes \_\_\_\_

2. No \_\_\_\_

\_\_\_\_ V-67. Current Employment Status 67

1. School and part-time work \_\_\_\_

2. Part-time work \_\_\_\_

3. Full time work \_\_\_\_

4. Seasonal work only \_\_\_\_

5. Unemployed \_\_\_\_

\_\_\_\_ V-68. If you have worked in the past year, about how much money have you made? 68

1. \$0 - \$500

2. \$500 - \$1000 \_\_\_\_

3. \$1,000 - \$3,000 \_\_\_\_

4. Over \$3,000 \_\_\_\_

\_\_\_\_ V-69. If you are working now, what is your hourly wage? 69

1. Known \_\_\_\_

2. Unknown \_\_\_\_

Thank you for helping us gather this information. Your answers will be important as we plan to improve services.

Which of the following items listed below does the father contribute to the baby?

- V-51. Provides Financial assistance 51
1. Yes 2. No
- V-52. Gives money for (check as many as apply to your situation): 52
1. Food \_\_\_\_\_
2. Clothes \_\_\_\_\_
3. Medical Care \_\_\_\_\_
4. Babysitting \_\_\_\_\_
5. Rent \_\_\_\_\_
6. Other: \_\_\_\_\_
- V-53. Does the father give money on a regular basis? 53
1. Yes 2. No
- V-54. Does the father give money only when asked? 54
1. Yes 2. No
- V-55. Does the father only give money on special occasions, such as 55
- birthdays and holidays?
1. Yes 2. No

The information we collect in this section is to help us find out if we can make any generalizations about teenage parents and their knowledge of paternity adjudication and child support obligations. This information will not be used to tell us about you individually, but will be put together with similar information from others.

- V-56. Sex \_\_\_\_\_ 56
- V-57. Race \_\_\_\_\_ 57
- V-58. Age of father when baby was born: 1) \_\_\_\_\_ 2) Don't Know 58
- V-59. Age of mother when baby was born: 1) \_\_\_\_\_ 2) Don't Know 59
- V-60. Structure of family where you grew up: 60
1. One-parent families:
- Widowed \_\_\_\_\_ Unwed \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_
2. Two-parent families:
- First Marriage \_\_\_\_\_ Second Marriage \_\_\_\_\_
3. Adoptive parents \_\_\_\_\_
4. Foster parents \_\_\_\_\_
5. Live with grandparents \_\_\_\_\_

PERCEPTIONS AND ATTITUDES OF  
BLACK ADOLESCENT FATHERS:  
THE QUESTION OF PATERNITY

Stanley Battle, Ph.D.\*  
Boston University  
School of Social Work  
Associate Professor,  
Social Policy Sequence

\* Note that work on this study was completed when Dr. Battle was a member of the faculty at the School of Social Work, University of Minnesota.



PERCEPTIONS AND ATTITUDES OF BLACK ADOLESCENT FATHERS:  
THE QUESTION OF PATERNITY

---

TABLE OF CONTENTS

I. Introduction.....	1
A. Background Information.....	1
B. Study Rationale.....	3
C. Study Description and Interview Schedule.....	3
D. Method and Questionnaire Overview.....	5
II. Findings and Discussion.....	5
A. Background Information.....	6
Summary.....	8
B. Father's Relationship with Mother and Infant.....	9
Summary.....	10
C. Paternity Issues.....	11
Summary.....	18
III. Conclusions and Recommendations.....	19
A. Study Limitations.....	19
B. Discussion.....	20
C. Recommendations.....	22

TABLES

1. Age of Fathers at Time of Interview.....	6
2. Family Size.....	7
3. Current Employment Status.....	8
4. Father and Mother Living Together.....	9
5. Financial Support.....	10
6. Benefits to Child if Paternity is Established.....	11
7. Court Involvement with Declaration of Parentage.....	13
8. Name Change Notification.....	14
9. Good Cause Exceptions.....	15
10. State Responsibility.....	16
11. Source of Information.....	16

#### ACKNOWLEDGEMENT

The author is grateful to the research assistance of Charles Stephens for conducting the interviews. In addition, I wish to thank Esther Wattenberg, project director, and the Ford Foundation for funding this supplemental project.

Perceptions and Attitudes of  
Black Adolescent Fathers:  
The Question of Paternity

---

I. INTRODUCTION

A. Background Information

We are seeing many changes in our society today. Among those changes is an increasing delay in marriage and child rearing. But at the same time, we are experiencing an increase in the number of adolescent parents. There are an estimated 1.3 million children living with adolescent mothers. There are an additional estimated 1.6 million children under age five living with mothers who were teenagers when they were born.

According to USA Today (July, 1983), the United States has the second highest teenage birth rate among thirty developed nations. A study of teenage fertility records from 1971 to 1980 found the highest rates in Hungary, with 103 births per 1,000 girls aged 14-17; the United States is next, with 101, and Romania third, with 100. By contrast, the fertility rate for U.S. Black teenagers under 18 was 237 births per 1,000, compared with 71 births per 1,000 for White teenagers. These figures represent an increase for Black teenagers since 1979.

In 1978, it was estimated that nearly twelve million teenage men and women were sexually active, and that on the average, teenagers begin sexual activity around age 16.<sup>1</sup> Today, it is now the exception to find a young person who has not had premarital intercourse by age 19.<sup>2</sup> Teen sexuality and pregnancy are becoming a national concern in the United States for both the White and Black communities.

Those problems, however, associated with teen sexual activity and pregnancy are felt even more profoundly in the Black population since it is essentially a "young" population. In 1980, the median age for Blacks was 25 years compared to 31 years for Whites.<sup>3</sup> Nationally, 22% of the Black population was in the 15-24 age group compared to 18% for Whites.<sup>4</sup>

From 1971 to 1979, the percentage of sexually active, never-married Black teen women rose nearly 15% from 52% in 1971 to 65% in 1979. The largest increase occurred at one of the most vulnerable ages--15 year olds.<sup>5</sup> In 1971, it was estimated that 31% of Black females age 15 were sexually active, by 1979 the figure had reached 41%.

Though there has been a rise in sexual activity for Black teens during the last decade, the fertility rate for this group has continued to decline. In 1957 Black teen fertility had reached a high of 173 births per 1,000 women age 15-19; by 1979, it had dropped to 99 births per 1,000 women age 15-19.<sup>6</sup> Much of this decline can be attributed to the increased availability of subsidized family planning services. Nonetheless, in 1979, 80% of the pregnancies to Black teens were "unintended": and in 78% of these pregnancies, the couple did not use any method of birth control.<sup>7</sup> Furthermore, in 1979 females under the age of 20 accounted for over one-quarter of all live births to Blacks in the U.S., and, in 83% of these births the mother was unmarried.<sup>8</sup> The out-of-wedlock birth rate for Black females age 15-19 is six times greater than for White females of the same age.<sup>9</sup>

The problems associated with teen sexuality and pregnancy go beyond those related to issues of morality. Intertwined with teen pregnancy are issues of unemployment, education, alcohol, drug abuse, and child abuse. Teen pregnancy also tends to perpetuate itself--teens giving birth now tend to be daughters of teen mothers.<sup>10</sup>

### B. Study Rationale

Generally, studies on teenage pregnancy issues have focused on the adolescent mother.<sup>11</sup> Very little is known about the role, expectations, status, and commitment of teenage fathers to the mothers of their infants, and the infants themselves. One of the few studies on Black teenage males to reach the literature suggests that there is a strong possibility that a significant sharing role could be assumed by young Black males, but they have been systematically overlooked by service providers. It is Hendricks' contention that the elusiveness of unmarried Black adolescent fathers, as evidenced by the difficulty of reaching them for participation in social service programs, may chiefly be due to a lack of authentic information regarding their behavior.<sup>12</sup>

More recent attempts in outreach and support services may yield clearer information on the status, role, expectations, and attachments of teenage Black adolescent fathers to their young families.

However, no systematically gathered information is available on the attitudes of Black adolescent fathers toward paternity adjudication and child support, despite the fact that these issues are an important, if not central thrust of social policy.

### C. Study Description and Interview Schedule

Over the last decade services and public policy responses to the problem of adolescent pregnancy have centered on the adolescent mother. There has been a change in the government's philosophy during the Reagan Administration. We have experienced major reductions in entitlement programs, i.e., Public Assistance, Aid for Mothers with Dependent Children. Consequently, services to adolescent mothers have been reduced.

The public and the federal government demand that the fathers of these infants assume financial responsibility for their well being.

In order to attempt to understand the Black adolescent father, data was collected which examined the following questions:

1. The fathers' knowledge of paternity adjudication;
2. Factors which are pertinent to how paternity is established legally;
3. Knowledge of how the legal system operates in child support cases;
4. Attitudes toward short and long term associations with the mother and infant; and,
5. The extent to which teenage fathers contribute financial and social support.

Fifty Black adolescent fathers were interviewed. Four fathers were interviewed for the pre-test. Responses from the remaining forty-six were reported. The fathers' ages ranged between 16-21.

The exploratory descriptive orientation of this study developed from the need to examine in greater depth, knowledge and perceptions held by Black adolescent fathers. There appears to be some agreement that Black adolescent fathers have special needs that are not being met; but it is difficult to pinpoint those needs and define their causes.

All of the interviews were conducted during the months of May, June, and July of 1984. Each respondent received \$10.00 to participate in the study. Respondents were interviewed in the following agencies located in Minneapolis and Saint Paul, Minnesota: The Way, Martin Luther King Center, Loft Teen Center, Urban League, and St. Paul Central High School. The average interview lasted approximately one hour, with a maximum of two hours in length.

The study is classified as an exploratory descriptive study, with the purpose of gaining familiarity with a phenomenon in which the knowledge base is limited. The study provided narrative information which was gathered through face to face personal interviews. Questions were in both structured and unstructured form and were facilitated by the use of an interview schedule (see Appendix).

#### D. Method and Questionnaire Overview

Only one group of Black adolescent male parents were interviewed. The questionnaire contained 69 questions. The questionnaire contained seven major sections which included: (1) knowledge of paternity adjudication; (2) paternity issues from a legal point of view; (3) child support issues; (4) father's relationship with the mother; (5) father's relationship with the baby; (6) father's contribution of financial and social support; and (7) background information.

Data was reported by utilizing frequency distributions and some in-depth case analysis. Responses from sections two and three utilized the following procedure: in order to make comparisons, responses were totalled and categories of high, medium, and low scores were determined. Responses in section two ranged from 12-36; the lower the score (fourteen is perfect knowledge), the greater the level of knowledge. The range in section three was 11-33; the lower the score (twelve is perfect knowledge), the greater the level of knowledge.

## II. FINDINGS AND DISCUSSIONS

This section highlights significant data and presents descriptive narrative case examples. These data were analyzed and the findings were reported with respect to furnishing evidence for each research question. A copy of the questionnaire is in the Appendix section.

# A. Background Information

Responses in this section sought to provide information regarding age, family structure, education, and employment. All of the respondents lived in Minneapolis and Saint Paul, Minnesota. A majority of the respondents were from Saint Paul, but no differences were detected in the responses between the two groups.

The age range at the time of the interview was 16-21. Respondents were clustered in the 17 (37 percent) and 18 (34.8 percent) age groupings, as described in Table 1. The median age was 17.5. One-half of the fathers were 17 years of age when their babies were born.

TABLE 1  
Age of Fathers at Time of Interview

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
16 yr. old	9	19.4	19.4
17 " "	17	37.0	56.4
18 " "	16	34.8	91.2
19 " "	3	6.6	97.8
21 " "	<u>1</u>	<u>2.2</u>	100.0
	46	100.0	

As Table 2 indicates, it was clear that many of the respondents were from large families which were headed by single parents (60.9 percent). More than one-third had families in which there were five or more children. Only 8.7 percent of the respondents did not have any siblings. In many instances there is pressure on the adolescent fathers to provide income for their siblings.



TABLE 2  
Family Size

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
One Sibling	5	10.9	10.9
Two "	7	15.2	26.1
Three "	5	10.8	36.9
Four "	8	17.4	54.3
More than Four	17	37.0	91.3
None	$\frac{4}{46}$	$\frac{8.7}{100.0}$	100.0

Education

Approximately 26.1 percent of the fathers completed high school, but 67.4 percent of the respondents had not completed high school. Many of the fathers had difficulty reading and comprehending information. Six and one-half percent were continuing their educations (post-high school), in vocational-technical programs.

Employment

Table 3 provides insight regarding the level of employment for the respondents. Approximately 39 percent of the fathers were unemployed; only one-fifth were working in a full time capacity. In addition, only 15.2 percent of the fathers were making over \$3,000 per year!

TABLE 3  
Current Employment Status

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
School and Part Time Work	11	23.9	23.9
Part Time Work	7	15.2	39.1
Full Time Work	9	19.6	58.7
Seasonal Work Only	1	2.2	60.9
Unemployed	<u>18</u> 46	<u>39.1</u> 100.0	100.0

Summary of Background Data

Respondents were selected from Minneapolis and Saint Paul, Minnesota in areas containing a reported 20% or higher Black residency.

Much has been said about the phenomenal growth in families that are headed by Black females and the overall increase in poverty. Clearly, data in the aforementioned section does support this fact. In 1960, about three-quarters of all Black men were employed; today, only 54% are working. This fact has a great bearing on the increase of Black female-headed families.

Minorities continue to have substantially lower economic status than their White counterparts. In 1980, twenty percent of families classified as Black or Non-White received annual incomes of \$5,928 or less. The decade of the 1970's clearly shows a decline in Blacks' standard of living. The proportion of Black families receiving less than \$5,000 in annual income increased from 15.2% in 1970 to 16.6% in 1980. In that same period, the proportion of Black families receiving

incomes less than \$10,000 increased from 30.5 percent to 40.4 percent. When compared to Whites, Blacks also received a higher proportion of their incomes from Public Assistance during the last decade.

The education data indicate the incomplete nature of the school experiences of these young men. Almost 25 percent were reported to have had difficulty in reading and comprehending the questions during the interview.

Unemployment among Blacks is twice the national rate. When you combine inferior education with adolescent fatherhood, it becomes increasingly difficult to determine how these fathers can adequately care for their children.

#### B. Father's Relationship with Mother and Infant

This section will shed some light on how the fathers feel about the mothers, infants, and their level of financial commitment to both.

A majority of the fathers (84.8 percent) reported having contact with the mother of their child. Only 15.2 percent indicated that they stopped seeing the mother before the baby was born; and 21.7 percent did not see the mother after their child was born. Only 19.6 percent of the fathers were living with the mother of the child, as reported in Table 4. A majority of the fathers did not have daily contact with the mother (56.5 percent).

TABLE 4  
Father and Mother Living Together

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
Yes	9	19.6	19.6
No	$\frac{37}{46}$	$\frac{80.4}{100.0}$	100.0

Some of the fathers (28.3 percent) did not wish to have any contact with their baby. Approximately 15.2 percent of the respondents never saw their baby. Overwhelmingly, a majority of the fathers were attempting to be a part of their baby's life.

For instance, 85.8 percent of those who stayed in touch helped care for their babies, while 52.2 percent see their babies on a daily basis. There appears to be a general perception that adolescent fathers are not interested in the care of their children. This theory was not consistent with the fathers interviewed. Clearly, there was compassion and interest in the well being of the mother and infant.

#### Financial Support

These fathers, as a group, attempted to make a contribution to their young families. Eighty percent of the fathers provided some financial support to the mothers for food, and a small number contributed toward medical care and clothes, as indicated in Table 5. The amounts ranged from \$5.00 to \$25.00 per month, although there was no consistent pattern.

Twenty-six percent of the fathers would give money to the mother only when she asked, and about one-third would give money on special occasions only.

TABLE 5

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
Food	37	80.4	80.4
Clothes	3	6.5	86.9
Medical Care	3	6.5	93.4
Babysitting	1	2.2	95.6
Rent	1	2.2	97.8
Other	$\frac{1}{46}$	$\frac{2.2}{100.0}$	100.0

#### Summary of Findings on Fathers' Relationships with Mothers and Children

This section demonstrates a compassionate and caring group of young fathers seriously interested in the well being of the mothers and their infants. They

contributed small amounts of money, particularly for food, though not on a regular basis. Further, they provided some physical care of their infants, although only a small segment actually lived with the young mothers, and more than half did not see the mother on a regular basis.

### C. Paternity Issues

#### Knowledge of Benefits to the Child

In a series of questions attempting to ascertain the extent of knowledge about benefits to the child through paternity adjudication (see Questions 49-50 on the Questionnaire, in the Appendix), the following data emerged:

TABLE 6

#### Benefits to the Child if Paternity is Established

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
Social Security	21	45.7	45.7
Military Benefits	1	2.2	47.9
Health Insurance	15	32.6	80.5
Security of Father's Identity	$\frac{9}{46}$	$\frac{19.5}{100.0}$	100.0

In response to questions on benefits that could accrue to their minor children, most fathers clearly demonstrated that the linkage between legal paternity acknowledgment and benefits was unknown to them. Information on this issue appeared not to have been transmitted in their formal or informal associations. In the course of the interview, fathers were made aware that if paternity is legally established, the child is entitled to inheritance rights (inheritance from adjudicated father), support payments from the father (if the biological father's name is placed on the birth certificate), social security benefits, and veterans' benefits. As reported in the above table, the fathers described which

benefits they valued most if paternity were legally established for their children. Benefits through social security (45.75 percent) and health insurance (32.6 percent) were deemed as the most significant financial benefits by the fathers. In the final analysis 47.8 percent of the respondents felt that health insurance was the most important benefit for the child.

#### Fathers' Knowledge of Paternity Adjudication

One rationale for this study was to determine the level of awareness among Black adolescent fathers in regard to how paternity is legally established. We were also interested in capturing some of the "gut" feelings of respondents in regard to how they felt they were perceived by the legal establishment and society in general. This section will present data in both of these areas.

Respondents were asked a series of questions that were designed to determine their level of understanding and knowledge in regard to how paternity is legally established. These were scale questions and contained correct answers. Fathers were asked twelve questions with a range from 12-36; the lower the score (fourteen is perfect knowledge), the greater the level of understanding.

The next series of questions (eleven total) were designed to examine the level of understanding regarding how child support is collected from a legal point of view. The range was 11-33 (twelve was a perfect score); the lower the score, the greater the level of understanding.

Questions regarding how paternity is legally established resulted in a mixed set of responses. Some respondents were fairly well informed and seemed to have more than a basic understanding of issues and the law. But there were

some exceptions; for example, fathers were unaware that it was necessary to sign the Declaration of Parentage in the presence of a notary public (56.6 percent). But they were aware that in order to make sure that the father is known as the legal parent, he must sign the Declaration of Parentage form (73.9 percent).

The fathers were also confused about the level of court involvement concerning the Declaration of Parentage form. This document does not have to be signed in the presence of a judge, but only 26.1 percent of the fathers were aware of this fact, as presented in Table 7.

TABLE 7  
Court Involvement with Declaration of Parentage Form

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
True	19	41.3	41.3
*False	12	26.1	67.4
Don't Know	$\frac{15}{46}$	$\frac{32.6}{100.0}$	100.0

\* Correct Answer

Fathers were aware that paternity must be established (65.2 percent) before the county can require the father to provide child support. In addition the respondents understood that they could have their names on the birth certificate (67.4 percent) with assistance from the court, even if the mother did not agree. Many of the fathers were confused about legal notification in regard to name changes on the birth certificate. If the child carries the father's name on the birth certificate and the mother wishes to change it, the father must be notified and give his approval. As described in Table 8, only

50 percent of the fathers were aware of this fact. Approximately 41 percent did not know whether it was true or false.

TABLE 8

Name Change Notification

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
* True	23	50.0	50.0
False	4	8.7	58.7
Don't Know	<u>19</u> 46	<u>41.3</u> 100.0	100.0

\* Correct Answer

Visitation

The respondents were almost evenly divided on the following question: "If the father has not signed legal papers saying he is the father, he still has a right to visit the child." The correct answer was "false"; approximately 39 percent answered accordingly. While 34.8 percent it was true, and 26.1 percent did not know if it was true or false. Clearly, this dilemma could cause some serious problems between the mother and father. Many of the respondents were unaware they could take an advocate to court (guardian ad litem) if they were under 18 years of age (60.8 percent).

Child Support

Issues of child support and responsibility provoke a great deal of frustration and concern. The respondents were aware (80.4 percent) that the name of the father must be legally established before the father is required to support the child financially. A high proportion of the fathers had incorrect information on the consequences of non-cooperation of the mother in naming the father.



The county does have the responsibility, if there is a "good cause" exception to naming the father, to grant AFDC benefits to the mother and child. Approximately 41 percent of the fathers were aware of this stipulation, but 45.7 percent of the fathers did not know if it was true or false as described in Table 9.

TABLE 9  
Good Cause Exception

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
* True	19	41.3	41.3
False	6	13.0	54.3
Don't Know	$\frac{21}{46}$	$\frac{45.7}{100.0}$	100.0

\* Correct Answer

Only 41.3 percent of the fathers were aware that fathers who have no money can request the court to reduce their child support payments.

On the other hand, 28.2 percent of the fathers believed the courts would refuse their request, while 30.4 percent did not know if this information was true or false.

Many of the respondents were confused about the extent of their responsibility if they were to leave the State of Minnesota. For instance, 28.2 percent of the respondents believed if they left they could not be reached by state officials. Nearly 35 percent felt they could be reached by state officials if they left the state, and 37 percent did not know if the question was true or false, as described in Table 10.

TABLE 10  
State Responsibility

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
* True	13	28.2	28.2
False	16	34.8	63.0
Don't Know	<u>17</u>	<u>37.0</u>	100.0
	46	100.0	

\* Correct Answer

The Aid to Families with Dependent Children benefits questions provided a great deal of frustration and confusion. Fathers, generally, did not know how their support payments were used; for example, whether they are added or subtracted from AFDC benefits. The responses varied and appeared to be inconclusive. Some of the confusion can be attributed to the source of information. Respondents tend to rely on friends (13.0 percent), girlfriends (10.9 percent), parents (23.9 percent), and 10.9 percent did not have any source as outlined in Table 11. Informal retrieval sources tend to be the norm for most respondents.

TABLE 11  
Source of Information

<u>Code</u>	<u>Absolute Frequency</u>	<u>Relative Frequency</u>	<u>Cumulative Frequency</u>
Parents	11	23.9	23.9
Girlfriend	5	10.9	34.8
Friends	6	13.0	47.8
Through Public Sources	19	41.3	89.1
Don't Know	<u>5</u>	<u>10.9</u>	100.0
	46	100.0	

A few of the fathers shared their personal feelings with us when they were

asked to respond to a series of open-ended questions (unstructured).

"Why would the partner of a teen mother not admit to being the father of his child?"

One father responded:

"the father will admit it to everone but to formal sources such as: welfare authorities, schools, and agencies. Due to child support enforcement, or maybe he doesn't believe the child is his, these factors could all influence a parent's decision to disclose or not..."

The fathers mentioned that lack of money (26.1 percent) played a major role, irresponsibility (26.1 percent), fear (39.1 percent), and 8.7 percent did not know why a father would not admit paternity.

Question: "In some cases a young man admits to being the father of his child but chooses not to sign the "Declaration of Parentage," which legally puts his name on the birth certificate. Can you tell us why this might happen?"

One young father indicated that "these papers intimidate and scare a young father away. Anytime legal papers are mentioned to someone that isn't knowledgeable, it will cause the person to evade the situation."

The father's responses varied a great deal; they mentioned financial reasons (26.1 percent), fear of the law (17.4 percent), irresponsibility (28.3 percent), and 28.3 percent did not have an opinion.

Question: "In your situation, did your parents influence your decision to put the name of both parents on the child's birth certificate?"

Mr. J. reported that, "my parents don't have a lot of control of my decision or behavior concerning my situation. I received considerable acceptance and support from my mother, father, and girl's parents. The community had an influence also, but ultimately I did as all fathers before me accepting a passive role as father of my child. My mom was a happy grandma never-the less as were my girl's parents."

In most cases, 54.3 percent of the parents did not play a major role in decision making for the adolescent father. But 54.3 percent of the parents did help their sons financially; and 89.1 percent wanted their sons to keep the babies.

On the other hand, 69.6 percent of the parents did not want their sons to marry the mothers.

#### Summary of Findings and Discussion on Paternity Issues

The lack of information on the linkage between paternity adjudication and benefits to the child indicates how little attention has been paid to this issue in the community networks. It is difficult to know how to interpret this lack of knowledge. One could speculate that it indicates there is little hope for potential tangible benefits considering the poor economic status of the fathers. On the other hand, it may be an oversight as part of a general neglect of issues in paternity.

In considering the responses to questions on basic knowledge of procedures in paternity adjudication, the use of true-false questions has obvious flaws. However, using the data that was acquired, it is possible to offer the following observations on what is generally acknowledged as an obscure and complex set of legal and administrative rules.

Three items are generally well understood: the signing of a Declaration as part of paternity adjudication; the establishment of paternity as a necessary step in child support enforcement; and the necessity to have both parents' names on the birth certificate for paternity acknowledgment.

"Good cause exceptions" were understood by less than half the respondents. Other issues signified lack of knowledge. Of particular concern is their uncertainty on visitation privileges. Further, their right to an advocate (guardian ad litem) was generally unknown to them. Moreover, they had scant knowledge about the law on child support enforcement and its interstate authorization or about how the courts determined the amount or extent of child support obligations.

Particularly noteworthy is the confusion on how AFDC inter-relates with

paternity adjudication. Indeed, the interviews disclosed a general concern with the complexity of AFDC rules and regulations and fears surrounding their role in possibly jeopardizing this essential stream of income for the mother and child.

The court system is intimidating and, in their perspective, treacherous. Generally, they are apprehensive about going to court under any circumstances.

Sources of information were varied, but they chiefly included the informal networks of relatives, friends, and the mother of their child.

The role of parents of these teenagers is inconclusive. While most said parents did not play a major role in their decision making, one notes with interest that parents of young, unwed fathers are concerned with their grandchildren; they assisted in some financial way. However, almost 70 percent did not want their sons to marry the mothers of their out-of-wedlock grandchildren.

### III. CONCLUSIONS AND RECOMMENDATIONS

This study has examined perceptions and attitudes of Black adolescent fathers in regard to paternity issues. We obtained information regarding family background, employment, education, financial commitment to the mother and infant, and knowledge of the legal system as it pertains to paternity. Clearly, issues of paternity cannot be isolated from family environment, level of education, and probably the most important factor, employment. This section will present conclusions and provide recommendations for action.

#### A. Study Limitations

There are a number of limitations that are associated with this study.

First, the study focused on exploring perceptions and attitudes of Black adolescent fathers. This eliminated the possibilities of following these fathers

over time (prospective study) to determine if changes may occur in adulthood. The focus was on perceptions or beliefs rather than behavioral observations.

Second, the study did not utilize a random sample technique. We interviewed adolescent Black males only, thus we controlled for race, sex, and age. Results of the study may not be generalizable to other Black adolescent fathers in the United States.

Third, since the study is exploratory and descriptive, there was no control group of other Black adolescent fathers utilized in Minneapolis and Saint Paul. The design was one that was developed within the constraints of the availability of an appropriate sample population.

Methodological studies, by their nature, are never definitive and can only add to or supplement existing knowledge. In addition, there is still the question of the degree to which we can generalize. For instance, to what extent were our results limited to the questions we asked? Do the results apply to other domains of the Black community? It is important to note that this population is very apprehensive about being interviewed. Pending the conduct and results of more in-depth studies of Black adolescent fathers, the author believes this study was reasonable and thoughtfully conducted, and will provide an excellent initial basis for decision making in planning and programming regarding the needs and concerns of Black adolescent fathers in the future and for future research directions.

#### B: Discussion

Many attitudes are present in the community as to how adolescent fathers should be treated. Some providers are more punitive in their assessment of the problem. This sample population was poor (only 15.2% were making over \$3,000 a year), Black, and had limited education. I cannot address the motivation for

sex and the result leading to pregnancy. The reality is that more teenagers are participating in sex at an earlier age. We have not as a society fully come to some reasonable conclusion as to when adolescents should participate in sex. We do rely on the legal phrase "consenting adults", but in some states consenting may mean sixteen years of age. The problem is, we do not have a consistent frame of reference.

These fathers did not view themselves as heroes, yet there was a consistent fear of the "law" and some avoidance of responsibility which seemed to be based on financial reasons. Regardless of the fear of responsibility and the court, many of the fathers have contact with the mother and infant and also attempt to provide some financial assistance. The fathers tended to take a passive role in rearing their children.

In order for Black adolescent fathers to assume responsibility for their children, they must have adequate employment and at least a high school education (one which does not include social promotions and a certificate of attendance). Paternity and employment cannot be separated; they both lead to responsibility.

Employment for the Black adolescent adds an important stimulus to the Black family. Historically, unemployment rates have reached critical proportions for Black teenagers, which is estimated to be 56.8%. Jobs for Black youth have become scarce over the past decade through a number of shifts in the labor market (especially in low wage areas of the country). Many jobs which were once filled by adolescents are now being filled by adults. It is quite possible that future Black parents may have to financially support their adolescent children for longer periods of time. These factors often result in high stress for Black families--especially those families who have adolescent daughters who become

pregnant and keep their children. Unemployment and low income reduce the likelihood that the adolescent couple can marry and financially support a family; yet, the value placed on children creates a need for total family restructuring to accomodate the child.<sup>13</sup>

### C. Recommendations

In the past, services to Black adolescent fathers and males in general were never classified as a priority. However, in order to reinforce commitment and adequately educate this population, programs must be developed.

In Memphis, Tennessee there is a vigorous effort to identify and require adolescent fathers to assume emotional and financial responsibility for their children. The Memphis Paternity Outreach Project has been in operation for five years. The Juvenile Court of Memphis and Shelby County, Tennessee, which is responsible for all paternity actions, has made available a IV-D worker for the City of Memphis Hospital, the chief location for out-of-wedlock births in the county.

The program receives great financial support from the community, but the bottom line is to save taxpayers money on services to adolescent mothers. Even though the program is supported by the county and appropriate officials, it has not reduced the number of adolescent pregnancies occurring in Shelby County. Many of the young fathers are barely out of their teens and have the responsibility of providing financial assistance for their children for the remainder of their working lives. A majority of these fathers are poorly educated, in dead end jobs, and can only plan their lives on a day to day basis.

We need a plan that will consistently address the needs of the adolescent father. If we are moving toward a more punitive policy (nationwide), it is



important to educate young fathers in regard to what will happen if they become an adolescent father. This is the first step in prevention. In the past we have focused on adolescent mothers and their infants, but it is time we pay closer attention to the fathers.

I would propose the following steps:

1. The county, state, and local boards of education in each state would develop a regionalized plan which would go into each junior high and high school and begin to make adolescent males aware of health issues, risk factors in pregnancy, and the consequences of becoming an adolescent father. Special emphasis would be made regarding financial commitment.

2. Identify areas in each state that have a higher percentage of adolescent pregnancies. In those areas implement a "peer education support paternity model plan." The purpose would involve:

- a. Utilizing "adolescent fathers" to educate and work with non-adolescent fathers. The notion is to prepare adolescents for the reality of parenthood. The peer fathers would discuss societal pressures, i.e., welfare and AFDC;
- b. The importance of family, as a means of establishing values, self-concept and responsibility;
- c. The importance of self awareness through education.

It is important to involve social workers, public health professionals, doctors, nurses, school administrators, public officials, consumers, and adolescents in the planning of the aforementioned program. Society must play a special role in preparing young fathers, especially Black fathers, with an adequate education and equal access to earn a fair wage in the market place. A White male with an

eighth grade education has a better income on the average than a Black male with a high school education. How can the Black father adequately provide financial assistance for his family? There are no quick fixes to this problem.

In the final analysis, paternity issues are an area of concern in both the short and long run. Programs must be developed to address broader issues of adolescent sexuality, risk factors during pregnancy, and family responsibility. It is important that these programs begin to address the role of the Black adolescent father. Little is known at this time about attitudes and behaviors of unmarried adolescent fathers, Black or White. Most human service and family planning personnel have found it difficult to reach and work with young fathers.<sup>14</sup> Their elusiveness may, in part, be due to the tendency of family planning agencies and in situations to concentrate on the role and needs of females in family planning. In the long run, programs developed now may help (secondary prevention) to alleviate the strain on the community in years to come as these adolescent parents age and enter adulthood with significant handicaps in education and fewer possibilities for employment.

## REFERENCES

1. Alan Guttmacher Institute, Teenage Pregnancy: The Problem That Hasn't Gone Away, New York City, NY, 1981, p.-6.
2. Zelnik, Melvin and Kantner, John, "Sexual Activity, Contraceptive Use and Pregnancy Among Metropolitan-Area Teenagers: 1971-1979," Family Planning Perspectives, Vol. 12, No. 5, September/October 1980.
3. National Urban League, Blue Print for Action, July 1983.
4. Ibid.
5. Zelnik, Melvin and Kantner, John, op. cit.
6. Blue Print for Action, 1983.
7. Zelnik and Kantner, 1980.
8. Blue Print for Action, 1983.
9. Ibid.
10. Ehlinger, Edward: "Testimony Before the U.S. House of Representatives Select Committee on Children, Youth and Families, 1983."
11. See Catherine Chilman's survey of research findings for an account of changing social roles and factors contributing to the complex phenomenon of teenage pregnancy and parenting: Adolescent Pregnancy and Child Bearing: Some Highlights for Research, 1983.
12. Hendricks, Leo E., "Unmarried Black Adolescent Fathers' Attitudes toward Abortion, Contraception, and Sexuality: A Preliminary Report," Journal of Adolescent Health Care, 1982.
13. Taborn, J., and Battle, S., Working with the Black Adolescent Parent, Minneapolis: Control Data Corporation, 1984.
14. Ibid.

## APPENDIX

PROJECT ON PATERNITY ADJUDICATION  
AND CHILD SUPPORT OBLIGATIONS  
OF TEENAGE PARENTS

QUESTIONNAIRE FOR TEENAGE PARENTS

Introduction

You may be aware that Congress, in 1975, passed the Child Support Program, an amendment to the Social Security Act known as Title IV-D. This federal law enforces child support payments by absent parents. It is based on the idea that children have a basic right to be supported by both mothers and fathers. Title IV-D requires that all states have child support enforcement systems.

Establishing paternity for children born out of wedlock is a part of the Child Support Program and addresses the rights of a father in relation to his child.

There may be reasons for encouraging or discouraging the father's legal recognition of a baby born to unwed parents.

We hope you will help us gather information by answering this questionnaire.

Your responses will be confidential. We will not need your name or use your name in any way.

Information that is collected will help us make recommendations on how to improve or change the system of Paternity Adjudication and Child Support Enforcement.

FIRST, please give us your age and tell us if you are the mother or the father of a child.

1. Age \_\_\_\_\_
2. 1. Mother \_\_\_\_\_  
2. Father \_\_\_\_\_

I. Teenage Parents' Knowledge of Paternity Adjudication

These are questions on how much is known about the laws that establish paternity adjudication. This is the way a father can claim his legal right to his child.

We are also trying to find out why some fathers sign papers such as the "Declaration of Parentage" or an "Affidavit of Paternity" and others do not.

3. In your opinion, do you think the father's name should be on the baby's birth certificate?

1. If yes ( ), why?

2. If no ( ), why not?

\* 4. How do your friends feel about this?

\* Categories were developed.

Part I, Knowledge of Paternity Adjudication, continued

- \* 5. Why would the partner of a teen mother not admit to being the father of his child?

- \* 6. In some cases a young man admits to being the father of his child, but chooses not to sign the "Declaration of Parentage," which legally puts his name on the birth certificate.

Can you tell us why this might happen?

- \* 7. Where did you get your information on matters of paternity and child support enforcement?

\* Categories were developed.

Questionnaire for Teenage Parents  
Page 4

Part I, continued

8. In your situation, did your parents influence your decision to put the name of both parents on the child's birth certificate?

1. Yes ( )

2. No ( )

9. Did your parents help you economically?

1. Yes ( )

2. No ( )

10. Did your parents want you to keep the baby?

1. Yes ( )

2. No ( )

11. Did your parents want you to marry?

1. Yes ( )

2. No ( )

Comments:



II. These are questions to find out how much is known about the way in which paternity is legally established. The questions are to be answered "true", "false", or "don't know".

12. To make sure that the father is known as the legal parent he, along with the mother of the baby, must sign a form known as the Declaration of Parentage.
  1. True
  2. False
  3. Don't Know
13. The Declaration of Parentage must be signed in front of a notary public who puts his/her legal stamp on the document.
  1. True
  2. False
  3. Don't Know
14. In Minnesota, this legal form, the "Declaration of Parentage," must be approved by a judge in court.
  1. True
  2. False
  3. Don't Know
15. Paternity must be established before the county can ask the father to give money to support his child.
  1. True
  2. False
  3. Don't Know
16. Certain financial benefits, such as Social Security, may go to children whose fathers have legally established paternity.
  1. True
  2. False
  3. Don't Know
17. If a father wishes to have his name on the child's birth certificate against the mother's wishes, he can ask the court to help him.
  1. True
  2. False
  3. Don't Know
18. If the child carries the father's name on legal papers and the mother wishes to change this, the father must be notified and give his approval.
  1. True
  2. False
  3. Don't Know
19. If the father has not signed legal papers saying he is the father, he still has a right to visit the child.
  1. True
  2. False
  3. Don't Know
20. When a young man says he is not the father of a child, the mother can get help from the court to prove that he is the child's father.
  1. True
  2. False
  3. Don't Know

Part II, continued

21. A young man who has been identified as the father, but knows this to be false, can ask for a blood test to prove that he is not the father of the child. These expenses will be paid by the county if the mother is applying for AFDC.

1. True                      2. False                      3. Don't Know

22. In Minnesota, when a blood test proves paternity and the father has no money, the county will pay the cost and bill the father when he has income.

1. True                      2. False                      3. Don't Know

23. If he has to go to court and he is under 18, a young man has a right to a guardian ad litem, also known as a personal advocate.

1. True                      2. False                      3. Don't Know

III. Teenage Parent's Knowledge of what the law requires to help collect child support.

Information about child support enforcement is not always well known. These questions are to help us find out if you and other teenage parents have all the information you need. These questions can be answered true, false, or don't know.

24. The name of the father must be legally established before the father can be made to support the child with money.

1. True                      2. False                      3. Don't Know

25. If the mother refuses to name the father of the child, she will get AFDC for her child.

1. True                      2. False                      3. Don't Know

26. If the mother refuses to name the father of the child, she will not get AFDC for herself.

1. True                      2. False                      3. Don't Know

27. When the county agrees that there is a "good cause" exception to naming the father, a mother will get AFDC for herself and her child.

1. True                      2. False                      3. Don't Know

28. The amount of child support the father will be asked to pay will depend on how much money he makes.

1. True                      2. False                      3. Don't Know

29. If a father has no money, he may ask the court to reduce his child support payment or wipe it out completely.

1. True                      2. False                      3. Don't Know

Part III, continued

30. If the father is in school, no child support is enforced until he is earning some money.  
1. True 2. False 3. Don't Know
31. If the father is out of school and unemployed, the court may order him to show that he is looking for work.  
1. True 2. False 3. Don't Know
32. If the father goes to another state, the people in the State of Minnesota cannot reach him there.  
1. True 2. False 3. Don't Know
33. Support payments made by fathers for their children do not get added to the AFDC check.  
True False Don't Know
34. The child support payments made by fathers go to the county to help pay for the AFDC Grant.  
1. True 2. False 3. Don't Know

IV. Teenage Father's Relationship with the Mother of the Baby

35. Do you have any contact with the mother?  
1. Yes 2. No
36. Stopped seeing her before birth of baby.  
1. Yes 2. No
37. Stopped seeing her after birth of baby.  
1. Yes 2. No
38. Continues to see baby's mother.  
1. Yes 2. No
39. Living together.  
1. Yes 2. No
40. Visits daily.  
1. Yes 2. No
41. Sees her occasionally.  
1. Yes 2. No

V. Teenage Father's Relationship with the Baby

42. Lives with the mother and child.

1. Yes

2. No

43. Sees the baby daily.

1. Yes

2. No

44. Helps care for the baby.

1. Yes

2. No

45. Visits occasionally

1. Yes

2. No

46. Never visits.

1. Yes

2. No

47. Have you ever seen the baby?

1. Yes

2. No

48. Do you know where the baby is?

1. Yes

2. No

49. The following financial benefits go to the children whose fathers' identity and paternity have been legally established.

1. Social Security

2. Military benefits, such as children's allowances added to military pay and health care.

3. Health and life insurance policy benefits; many places of work automatically insure their employees. This usually covers children.

4. In addition, there is the security of knowing who the father of the child is for psychological health and adoption purposes.

50. Which of these do you feel is the most important to the child?

(1)

(2)

(3)

(4)

(5) Don't Know

## VI. Teenage Father's Contribution of Financial and Social Support for Baby

Which of the following items listed below does the father contribute to the baby?

51. Provides Financial assistance
1. Yes 2. No
52. Gives money for (check as many as apply to your situation):
1. Food \_\_\_\_\_
2. Clothes \_\_\_\_\_
3. Medical Care \_\_\_\_\_
4. Babysitting \_\_\_\_\_
5. Rent \_\_\_\_\_
6. Other: \_\_\_\_\_
53. Does the father give money on a regular basis?
1. Yes 2. No
54. Does the father give money only when asked?
1. Yes 2. No
55. Does the father only give money on special occasions, such as birthdays and holidays?
1. Yes 2. No

## VII. General Information about You.

The information we collect in this section is to help us find out if we can make any generalizations about teenage parents and their knowledge of paternity adjudication and child support obligations. This information will not be used to tell us about you individually, but will be put together with similar information from others.

56. Sex \_\_\_\_\_
57. Race \_\_\_\_\_
58. Age of father when baby was born: 1) \_\_\_\_\_ 2) Don't Know
59. Age of mother when baby was born: 1) \_\_\_\_\_ 2) Don't Know

60. Structure of family where you grew up:
1. One-parent families:  
Widowed \_\_\_\_\_ Unwed \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_
  2. Two-parent families:  
First Marriage \_\_\_\_\_ Second Marriage \_\_\_\_\_
  3. Adoptive parents \_\_\_\_\_
  4. Foster parents \_\_\_\_\_
  5. Live with grandparents \_\_\_\_\_

**Family Size**

61. Brothers and sisters: 1\_\_\_ 2\_\_\_ 3\_\_\_ 4\_\_\_ 5 More\_\_\_ 6. None \_\_\_
62. Stepbrothers/stepsisters: 1\_\_\_ 2\_\_\_ 3\_\_\_ 4\_\_\_ 5 More\_\_\_ 6 None \_\_\_
63. Where did your family live when you were "growing up"?  
1. Large City\_\_\_ 2. Small town\_\_\_  
3. Rural \_\_\_ 4. Other \_\_\_
64. What is the highest level of school you've completed?  
1. 1 - 6 \_\_\_  
2. 7 - 9 \_\_\_  
3. 10 - 12 \_\_\_  
4. Completed high school \_\_\_  
5. Other: \_\_\_\_\_
65. If you have gone to school after finishing high school, check the appropriate category:  
1. Vocational/technical school \_\_\_  
2. College \_\_\_  
3. Other: \_\_\_\_\_
66. Are you in school now?  
1. Yes \_\_\_ 2. No \_\_\_
67. Current Employment Status  
1. School and part-time work \_\_\_  
2. Part-time work \_\_\_  
3. Full time work \_\_\_  
4. Seasonal work only \_\_\_  
5. Unemployed \_\_\_
68. If you have worked in the past year, about how much money have you made?  
1. \$0 - \$500  
2. \$500 - \$1000 \_\_\_  
3. \$1,000 - \$3,000 \_\_\_  
4. Over \$3,000 \_\_\_
69. If you are working now, what is your hourly wage?  
1. Known \_\_\_\_\_ 2. Unknown \_\_\_\_\_

Thank you for helping us gather this information. Your answers will be important as we plan to improve services.

**Observations from a Telephone Interview With Ed Bostick,  
Director, Child Support Bureau  
Memphis Juvenile Court**

**July 13, 1984**

The Memphis Paternity Outreach Project has been in operation for five years. The Juvenile Court of Memphis and Shelby County, Tennessee, which is responsible for all paternity actions, has made available a IV-D worker for the City of Memphis Hospital, the chief location for out-of-wedlock births in the county. The intent of this program is to provide paternity services to new mothers as quickly and as efficiently as possible.

Description of the Project\*

The hospital staff member who records birth certificate information lets unmarried mothers know that there is a representative of the court available in the hospital to help in legitimating the child and getting support from the father. Thus far, most mothers have indicated an interest in talking to the court representative. The hospital worker then forwards information on these unmarried mothers to the IV-D worker.

The IV-D worker waits at least twenty-four hours after the birth before visiting the mother. If the mother is receptive, the worker fully explains the process required to establish a legal relationship between the father and the child. She also details the benefits that the child may receive. Experience has shown that most mothers already know about the IV-D program and are willing to start proceedings. The IV-D worker often learns about other children by the same father, in which case she prepares the petition to include all of them.

A mother who decides to accept the paternity services signs an application for IV-D services. The IV-D worker prepares the appropriate legal pleadings and returns to the mother's room with the petition ready for signature, frequently within the same hour. Signed petitions are picked up on a timely basis by staff from the main Juvenile Court office. From that point on, the petitions are handled in the same manner as other IV-D paternity cases.

---

\*Verbatim, from Abstracts of Child Support Techniques, No. 81-4, February 1981, National Child Support Enforcement Center, Rockville, Maryland.

### Observations

The City of Memphis Hospital is publicly funded, and 90-98 percent of out-of-wedlock births take place at this hospital.

Noting that Shelby County has the highest out-of-wedlock births of any county in the country (over 5,000 per year, with a 3-4 percent increase typically taking place from year to year), paternity is adjudicated, generally, in more than half of the out-of-wedlock births.

While 65 percent typically admit paternity, 35 percent generally contest it. Litigation, which used to tie up the courts for two or three years, has virtually been eliminated by the new technology in blood testing. In this county, a laboratory technician is available right on the premises of the court house to administer blood testing procedures, and the results are known in two weeks. No lawyer is appointed for the putative father, who may contest the petition. Should the blood test turn out to confirm paternity, the father must pay court costs, the cost of the blood tests, and child support.

When there is an indication that adoption is pending, no interviews take place.

With adolescent parents under 18, an adult must sign the petition or, in those cases where this is not possible, a guardian ad litem is appointed.

Very little work is done with the partners of out-of-wedlock birth mothers.

He does receive a letter that indicates that if he fails to appear, he might be arrested.

### Features of a Successful Paternity Outreach Program

1. Solid community support for such a program must be reflected. Illustratively, in Shelby County, Juvenile Judge Kenneth A. Turner has a reputation as an aggressive champion of child support. He has been reelected with that commitment as his chief campaign theme. "There is political clout in child support." With an understanding that child support enforcement touches the core of family life, there has been a long-standing commitment to child support enforcement, even before 1975, in this county. This program, with its outreach paternity services to new mothers and the laboratory technician stationed in the court for securing blood samples, is a reflection of a long-standing commitment to paternity adjudication.
2. For efficiency and effectiveness, a hospital that serves a concentration of out-of-wedlock mothers is important. The arrangement may not be feasible in communities with multiple hospital arrangements.



3. The skills of the IV-D worker are pivotal to the success of the program: sensitive, competent, and non-threatening are necessary attributes. A coercive or intimidating manner is destructive in these situations. "Very few are reluctant to sign petitions for paternity if it is presented in the right manner."
4. The attitude of the judge is also central to the success of the program. His or her commitment to the idea of paternity adjudication is essential.

The most significant observation from this program is that it does not appear to have any deterrent value. Despite the widespread knowledge of its existence and the vigorous pursuit of both paternity and child support enforcement, the numbers of out-of-wedlock births have not changed substantially.

More money appears to have come into the public treasury, but the financial impact on young men is severe.

It is Mr. Bostick's contention that young men who have one, two or sometimes three children born out-of-wedlock, are strapped with a burden that will absorb them for the rest of their working years. He finds it tragic to talk to these men, who are often desperate, attached to jobs with uncertain wages, or jobs pegged at a minimum wage level. "They already have three income assignments, and they are barely out of their teens."

It was Bostick's observation that the value of the program rests on the community support for the values inherent in paternity adjudication and child support.

Bostick noted that there were no programs for the partners of out-of-wedlock mothers.

Further, instructional programs at the high school level did not deal with the consequences to males of out-of-wedlock paternity.

## PATTERNS OF PATERNITY ACKNOWLEDGMENT

All states except the following may establish paternity through a voluntary statement or acknowledgment without appearing in court. In the states listed, a court hearing must be held to establish paternity.

Alabama  
Arkansas  
District of Columbia  
Maine

Massachusetts (legislation proposed to  
permit voluntary acknowledgment)  
South Carolina  
Tennessee  
West Virginia

While paternity may be established through voluntary acknowledgment in New York without a court appearance, many judges require a hearing to ensure that the alleged father understands his rights.

The voluntary method of establishing paternity requires a sworn statement or affidavit in all except the following states:

Florida--notarized voluntary statement  
Iowa--witnessed statement  
Mississippi--notarized statement  
Missouri--witnessed statement  
Pennsylvania--witnessed statement

In Nebraska, the sworn statement must be witnessed. North Dakota requires two witnesses to the sworn statement.

In the majority of states a stipulated agreement or consent order to pay support is obtained at the same time as the voluntary acknowledgment of paternity. All documents are then routinely filed in court. In the following states, however, the voluntary acknowledgment is not filed with the court until there is a breach of the support agreement or enforcement becomes necessary.

Georgia  
Iowa  
Kansas  
Missouri

Nebraska  
Oklahoma  
Texas

Notes on Procedure for  
Signing Birth Certificates  
at Hennepin County Medical Center

Prepared by Candace L. Schmit  
Project on Paternity Adjudication  
and Child Support Obligations  
of Teenage Parents

1. Medical records, in the person of one woman who has kept this position for eight years, approaches unwed mother (I asked who trained her; she said the person whose place she took 8 years ago. She's done this the same way over time).
2. She asks "What is the name of the baby?" and automatically fills in the mother's last name, unless the mother indicates differently, on her own initiative.
3. If the mother indicates she wants the father's name for the baby, then the worker informs her that he will have to sign a paternity affidavit. In order to do that, she gives the mother the phone number of the social worker, who will bring the form on request.
4. When the remainder of the birth certificate information is obtained and written on a worksheet copy by the medical records worker, the worker hands it to the mother and asks her to look over the form to confirm all the information. The mother is then asked to sign the worksheet form and also the legal copy of the document, which will be typed up later.

In conversation afterwards, I asked the medical records technician some questions. She indicated that she never mentions the father unless the mother says something first, e.g., "What is the baby's name?" When they answer with just the first name, she asks for a second name. But she doesn't have them give her the surname. She says, "I put their own last name down unless they say otherwise. I don't press the issue."

I think this is a point at which a question like "Do you want yours or the father's last name for the child?", or even, "What last name do you want for the child?" might introduce issues of paternity when it might not otherwise be thought of.

At Metropolitan Medical Center, the birth certificate information is recorded on a worksheet by the mother. The form is left in her room for her. This is information from the same medical records technician from HCMC who said they had some of HCMC's patients during the strike, so she's seen the form.

Apparently many mothers go home without signing the birth certificate. They may return to do it, they may not.

SUMMARY: THE RIGHTS AND PROTECTIONS AFFORDED MINOR DEFENDANTS  
IN PATERNITY PROCEEDINGS

Prepared for the Project on Paternity Adjudication and Child Support Obligations of Teenage Parents by Jill Frieders, Student, University of Minnesota Law School, under the supervision of Robert Levy, Professor, University of Minnesota Law School.

There are a variety of legal issues concerning the rights of adolescent fathers in paternity proceedings. These doctrines have been the target of legislation, and constitutional and nonconstitutional litigation. Because these issues address the basic fairness afforded defendants, in paternity proceedings they can be grouped under the rubric "due process" despite the fact that many of the rights discussed here have not been subject to such constitutional adjudication. Also, paternity actions are often private suits brought by pregnant women or mothers against male defendants for child support and declaration of fatherhood. In addition, in a number of states pregnant women or mothers may apply (and in some circumstances must) to a government agency for representation. Under this second set of circumstances, "plaintiff" is the state. The Fourteenth Amendment's Due Process Clause applies only to "state actions" and thus only to litigation of the second type. Nonetheless, because many of the procedural devices we discuss below concern basic litigation fairness, some states by statutes provide for these devices in both types of litigation. The rights discussed are: the right to an attorney, representation by a guardian ad litem, the opportunity to obtain blood tests to prove or disprove paternity, and the protection of a statute of limitations against untimely litigation. In addition we provide a short discussion of the protections against criminal liability.

## Right to Counsel

In most states, paternity actions are considered civil in nature, even though the defendant is sometimes subject to arrest, bond, and the possibility of incarceration. In the United States counsel is not usually provided by the government to civil litigants; yet because of the quasi-criminal nature of paternity actions, some states require (either by statute or constitutional interpretation) that counsel be appointed for an indigent accused father in state-initiated paternity proceedings; other states permit the judge to appoint counsel if the judge believes it is necessary to achieve justice in the particular case; still others do not require the appointment of counsel at all. The Uniform Parentage Act requires the judge to appoint counsel for all indigent defendants in all paternity actions. UPA § 19(a).

The United States Supreme Court avoided this issue by refusing to hear a case that dealt with court appointed counsel in a paternity case. Salas v. Cortez, 593 P.2d 116 (1979), cert. denied 444 U.S. 900 (1979). The Court did, however, indirectly address the issue in a parental rights termination case. Lassiter v. Department of Social Services, 452 U.S. 18 (1981). In Lassiter, the Court held that the United States Constitution does not require that an indigent parent be provided counsel in a proceeding to terminate her parental rights. The Court did acknowledge that the right to counsel may exist in other, similar circumstances and, therefore, adopted a case-by-case approach to determine under what circumstance a constitutional right to counsel attaches. It may well be that in paternity cases, as in parental rights termination cases, a judge's refusal to appoint counsel will be subject to discretionary constitutional oversight in special cases.

### Guardian Ad Litem

Minor defendants enjoy a representational protection not enjoyed by adult defendants—a court appointed guardian ad litem. State statutes often authorize judges to appoint guardians ad litem as personal representatives of minors in civil litigation. Such guardians are most frequently attorneys, they thus fulfill a litigation as well as a personal role for the minor. In states where paternity actions are considered civil, the action usually cannot be maintained against a minor defendant without the appointment of a guardian ad litem. Some courts have held that if the minor defendant's parents assist him there is no need for the appointment of a guardian ad litem, while other courts have held that parental assistance does not obviate the need for a guardian ad litem. In states where paternity actions are considered criminal proceedings, guardians ad litem are not appointed to represent the minor.

### Blood Tests

Indigent minor defendants in state-initiated paternity proceedings have a right to blood tests at the state's expense. Until recently, each state had its own rules determining financial liability for the blood tests; and some states required the party requesting blood tests to pay for them regardless of his or her ability to pay. In 1981, however, the United States Supreme Court held that indigent defendants in paternity actions brought by the state have a right to blood tests at the expense of the state. Little v. Streater, 452 U.S. 1 (1981). It is important to note that without the aid of an attorney a minor defendant

is unlikely to be aware of his right to free blood tests. A number of state legislatures have adopted the Uniform Parentage Act's requirement that free blood tests be authorized for indigents in all types of paternity actions.

In the past, courts ordered blood tests pursuant to common court rules which authorized judges to order a physical examination when the physical condition of a party is in controversy. Today, most states have enacted statutes which specifically authorize the court to order blood tests in paternity actions. Statutes authorizing compulsory blood tests have been challenged on the grounds that compulsory blood tests violate the right to privacy, the right to be free from unreasonable searches and seizures, and the privilege against self-incrimination. No such challenge has been successful.

A court order that one of the parties submit to a compulsory blood test in a paternity action is easy to enforce. When the defendant refuses, the courts usually grant an unfavorable ruling, i.e., adjudge the defendant to be the father. When the mother of the child refuses to submit to the blood tests, the courts generally dismiss the action.

### Statutes of Limitations

Statutes of limitations restrict the time period when an action can be brought. The purpose of statutes of limitations is to prevent the litigation of fraudulent and stale claims. Most states have a statute of limitations which applies specifically to paternity actions. Yet some state courts have taken the position that a general statute of limitations (e.g., one

that is not included in the state's paternity action statute) does not apply to paternity actions because the obligation of a father to support his minor child is a continuing and not time-limited duty.

The United States Supreme Court has held that the Constitution requires that illegitimate children must have a reasonable opportunity to obtain support from their alleged fathers. Mills v. Habluetzel, 456 U.S. 91 (1982); Picket v. Brown, \_\_\_ U.S. \_\_\_ (1983). Therefore, the Court held that a one year statute of limitations (Mills) as well as a two year statute of limitations (Picket) is too short. The Supreme Court was influenced in the Picket case by the fact that the State was not required to seek an adjudication within two years if welfare benefits were at stake.

The Uniform Parentage Act expressly provides a three year (from the birth of the child) statute of limitations for paternity actions. UPA § 7. But, because of an ambiguous additional provision, the Act may provide for a twenty-one year period during which at least some paternity actions can be brought because "an action brought by or on behalf of the child whose paternity has not been determined is not barred until three years after the child reaches the age of majority."

### Statutory Rape

Minor as well as adult defendants found to be the father of a minor mother's child may run the risk of being charged with statutory rape. Sexual intercourse with females under a stated age (usually 16-18) with or without her consent is a crime in



virtually every state. The risk of prosecution for statutory rape is especially onerous because many of the statutes expressly deny defendants the defense of "reasonable mistake" as to the victim's age.

The constitutionality of statutory rape laws has been challenged frequently on a variety of grounds without much success. Recently, the United States Supreme Court held that statutory rape laws which criminalize consensual sexual intercourse with a minor female do not violate the Constitution even though the laws punish only the male. Michael M. v. Superior Court of Sonoma County, 450 U.S. 464 (1981). The Court noted that minor males are properly subject to punishment although their young sexual partners are not because "the age of the man is irrelevant since young men are as capable as older men of inflicting the injury sought to be prevented." Id. at 475.

Because of the threat of possible prosecution for statutory rape, many young unwed fathers may be reluctant to come forward to admit paternity despite the fact that very few young fathers are in fact prosecuted. The Uniform Parentage Act addresses this issue by giving the judge the discretion to grant immunity from criminal prosecution to paternity action defendants. The Uniform Parentage Act states that if a party refuses to testify at a paternity hearing because his "testimony or evidence might tend to incriminate him, the court may grant him immunity from all criminal liability on account of the testimony or evidence he is required to produce. UPA S 10(b). Only a few states have enacted this section of the Act.